



W.P.Crl.(MD)No.718 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Kaliyan

... Petitioner

versus

1. The District Collector,
District Collector Office,
Trichy District – 620 601.
2. The Deputy Superintendent of Police,
Lalgudi,
Trichy District.
3. The Inspector of Police,
Kanakiliyanallur Police Station,
Trichy District.
4. The Ottathur Village Panchayat,
Rep. by its Executive Officer,
Pullambadi Panchayat Union,
Trichy.
5. M.Govindaraj

6. Poomaari

... Respondents

Writ Petition filed under Article 226 of the constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the 3rd respondent to



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provide adequate police protection to the petitioner and his property comprised in S.No.108/9, 109/10 and 108/12 admeasuring to an extent of 7.98 cents situated in Ottathur Village, Lalgudi Taluk, Trichy District.

For Petitioner : Mr.S.I.Muthiah
For R1 : Mr.F.Deepak,
Special Government Pleader
For R2 and R3 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
For R5 and R6 : Mr.V.Raji Rufus

ORDER

The petitioner, claiming to be in possession of lands in survey Nos. 108/9, 109/10 and 108/12 in Ottathur Village, Lalgudi Taluk, Trichy District, has filed this writ petition seeking a direction to the 3rd respondent Police to provide adequate police protection to his lands comprised in the above survey Nos.108/9, 109/10 and 108/12 admeasuring to an extent of 7.98 cents.

2. The learned counsel appearing for the petitioner submits that the abovsaid lands are natham lands and the petitioner is in possession of the lands. The petitioner has also filed a suit in O.S.No.459 of 2015 as against the local panchayat seeking permanent injunction restraining the local



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panchayat from interfering with his physical possession of the lands in survey Nos.108/9, 109/10 and 108/12 and the same was decreed by the learned District Munsif Court, Lalgudi, by Judgment dated 23.12.2022. Now, the respondents 5 and 6 are trying to dispossess him from the said property. Therefore, the petitioner has filed this petition seeking police protection.

3. The learned Special Government Pleader submits that the petitioner is having patta for the land in Survey No.108/11. He further submits that a temple exists in survey No.108/12. According to him, this temple is in existence for the past 15 years. He further submits that in the suit filed by the petitioner in O.S.No.459 of 2015, the revenue officials are not parties to the suit proceedings. However, the petitioner, by simply adding the Panchayat as a party to the suit proceedings, got permanent injunction.

4. The learned counsel for the petitioner disputed the same and submits that the temple was constructed pending the suit.



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5. The learned Special Government Pleader further submits that the petitioner is not having any patta or title in the property in survey Nos. 108/9, 109/10, 108/12. However, the petitioner, by simply obtaining an injunction as against the Panchayat, is attempting to take possession of the property in survey Nos.108/9, 109/10, 108/12. Since there is a temple in survey No.108/12, the villagers are objecting for the same and it would create law and order problem.

6. Mr.V.Rajiv Rufus, learned counsel takes notice for the respondents 5 and 6 and submits that the land in Survey No.108/9 is classified as Government Poramboke and it is also classified as common well. Survey Nos.108/10 and 108/12 are classified as vacant lands. The petitioner, in order to usurp the lands, has filed the suit in O.S.No.459 of 2015 without impleading the revenue officials and obtained an order of permanent injunction as against the Panchayat and he is attempting to take over the possession of the lands with the help of the police by filing this writ petition.



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7. This Court considered the rival submissions made.

8. The petitioner has filed this petition seeking police protection based on the permanent injunction granted by the Civil Court in O.S.No.459 of 2015. Though the petitioner claims that permanent injunction has been granted in O.S.No.459 of 2015, admittedly, the said suit has been filed without impleading the revenue officials as parties to the suit proceedings. Therefore, with the available materials, this Court is not in a position to grant the relief as sought for in this writ petition.

9. Accordingly, this writ petition is dismissed. No costs.

05.08.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,
District Collector Office,
Trichy District – 620 601.

B.PUGALENDHI, J.

5/6



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2. The Deputy Superintendent of Police,
Lalgudi,
Trichy District.
3. The Inspector of Police,
Kanakiliyanallur Police Station,
Trichy District.
4. The Executive Officer,
Ottathur Village Panchayat,
Pullambadi Panchayat Union,
Trichy.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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