



W.P.Crl.(MD)No.1615 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2025

WEB COPY

CORAM :

THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD)No.1615 of 2025

Kala @ Arokiya Mary

... Petitioner

Vs

1. The Revenue Divisional Officer,
Nagercoil Revenue Division,
Office at Collectorate,
Ramavarmapuram,
Nagercoil,
Kanyakumari District.

2. The Deputy Superintendent Of Police
Office of Deputy Superintendent of Police,
Kanyakumari Sub Division,
Kanyakumari,
Kanyakumari District.

3. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari,
Kanyakumari District.

4. M.Joseph Panimayam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the records pertaining to the order issued by the 2nd respondent herein C.No.62/SDO-KKI/Camp/P2/2025 dated 22.07.2025 and quash the same as illegal and direct the 2nd and 3rd respondent herein to take appropriate criminal action against the fourth respondent for criminal trespass (section 329(1) of BNS), House Breaking (Section 330(2) of BNS), Illegal Occupation of petitioner's house with the household articles (305 of BNS) and (317 of BNS) No:1/545, Ransam Town, Pillar Town (Behind Kanyakumari Railway Station) Kovalam Panchayat, Kanyakumari District.

For Petitioner : Mr.K.P. Krishna Doss,

For Respondent : Mr.M.Ramesh Arumugam (R1)
Government Advocate (civil)

: Mr.R.M.Anbunithi (R2 & R3)
Additional Public Prosecutor

ORDER

The writ petition has been filed seeking to quash the impugned communication dated 22.07.2025 by which the second respondent had closed the petitioner's complaint as civil in nature.



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2.The learned Counsel for the petitioner would submit that the offences are made out and the second respondent ought not to have closed the complaint and ought to have registered an FIR.

3.Mr.P.T.Ramesh Raja, learned Counsel who takes notice for the fourth respondent would submit that the complaint discloses only a civil dispute.

4.Without going into the merits of the rival submissions, this Court is of the view that if the petitioner is aggrieved by the impugned communication of the respondent police, he ought to have approached the jurisdictional Magistrate seeking appropriate remedy.

5.With the above liberty and observation, this writ petition is disposed of.

06.10.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

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Kanyakumari,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

LR

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