



WEB COPY

WP CrI. No. 49 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 49 of 2026

Devi Priya
W/o.Anbalagan,
No.35, Ezhil Nagar,
Old Suramangalam,
Salem-636 005.

..Petitioner(s)

Vs

1. The Commissioner of Police,
Salem City Police,
Salem-636 001.
2. The Inspector of Police,
Suramangalam Police Station,
Salem-636005.
3. Desingu
S/o.Rangan,
No.66/A, Kabilar Street,
Old Suramangalam,
Salem-636 005.

..Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus to issue a writ, order or direction in the nature of WRIT OF MANDAMUS directing the respondents 1 and 2 to provide police protection to the petitioner to peacefully carry out and complete the construction of her residential building at No.35, Ezhil Nagar, Old Suramangalam, Salem-636 005, in terms of the permanent injunction decree dated 11.11.2025 passed in O.S.No.297 of 2025 on the file of the I Additional District Munsif Court, Salem.



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For Petitioner(s):

Mr.Abuder Kumar Rajarathnam
Senior Counsel
for Mr.A. Murali

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor For R1 And R2

Mr.B.Vasudevan for R3

ORDER

The writ petition has been filed by the petitioner seeking direction to the respondents 1 and 2 to provide police protection to the petitioner to peacefully carry out and complete the construction of her residential building at No.35, Ezhil Nagar, Old Suramangalam, Salem-636 005, in terms of the permanent injunction decree dated 11.11.2025 passed in O.S.No.297 of 2025 on the file of the I Additional District Munsif Court, Salem.

2. The petitioner had sent a representation dated 15.12.2025 & 26.12.2025 to the respondents 1 and 2 respectively to provide police protection. Since no action has been taken, the present writ petition has been filed seeking police protection.

3. The complaint of the petitioner is that the third respondent and his wife are obstructing the petitioner from completing the plastering of his outer compound Wall on the premise that the petitioner is intruding into their property



and obstructing their peaceful possession and enjoyment of the property.

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4. The learned counsel for the petitioner submitted that the petitioner had filed a Civil Suit in this regard in O.S.No.297/2025 against the third respondent. The Civil Court, by a judgment and decree dated 11.11.2025, had restrained the third respondent from not to interfere with the peaceful possession and enjoyment of the petitioner's property. Even then, the third respondent and his wife are causing obstruction to the petitioner to carry out his plastering work. Hence, the present petition has been filed seeking police protection.

5. Learned Additional Public Prosecutor appearing for Respondent Nos.1 and 2 submitted that there has been some dispute between the petitioner and the third respondent who is the adjacent land owner and the third respondent's apprehension is that the petitioner had constructed a house abutting his house and if plastering work is permitted to the petitioner, it will affect the peaceful possession and enjoyment of the third respondent's property and also cause damage to his property.

6. The learned counsel for the third respondent submitted that the third respondent's only objection is that as long as the petitioner does not enter and disturb the third respondent peaceful and enjoyment possession of their property, the petitioner can carry out his plastering work within his compound



wall without causing disturbance to the third respondent.

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7. The learned counsel for the petitioner submitted that the petitioner would place scaffolding within his property and with the aid of scaffolding, he will do the plastering work.

8. Considering the submissions made, this Court directs the petitioner to place a scaffolding within his property and complete his plastering work on the west side wall without causing any kind of disturbance to the third respondent and in turn, the third respondent shall not cause any obstruction to the petitioner to carry out his plastering work on the west side wall and the second respondent police shall ensure that the aforesaid work is completed without any hindrance to both the parties.

9. In view of the above, this Writ Petition is disposed.

21-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

BKN



To:

1. The Commissioner of Police,
Salem City Police,
Salem-636 001.
2. The Inspector of Police,
Suramangalam Police Station,
Salem-636005.
3. I-Additional District Munsif Court, Salem.
4. Public Prosecutor, Madras High Court.



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M.NIRMAL KUMAR, J.

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