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CONT P No.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

CONT P No. 236 of 2026

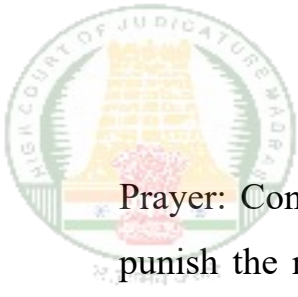
M.Ganesh Karthick

..Petitioner(s)

Vs

1. Loganathan and 3 others
The Firka Surveyor,
Alangiyam,
Dharapuram Taluk,
Tiruppur District.
2. Velusamy
The Village Administrative Officer,
Selampalayam village,
Dharapuram Taluk,
Tiruppur District
3. Yadav Girish Ashok
The Superintendent of Police,
Tiruppur District.
4. Vijaya Sarathi
The Inspector of Police,
Alangiyam Police Station,
Tiruppur District.

..Contemnor(s)



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Prayer: Contempt Petition is filed under section 11 of the Contempt of Court's Act to punish the respondent for willful disobedience of the order dated 20.01.2025 made in W.P.No.831 of 2025 on the file of this Hon'ble Court.

For Petitioner(s): Mr. N.Manoharan, for Mr..N.Ponraj

For Contemnor(s): Mr.T.K.Saravanan, AGP for R.1 and R.2
Mr.L.Baskaran, GA. (Crl.Side) for R.3 and R.4.

ORDER

This Contempt Petition has been filed to punish the respondent for willful disobedience of the order dated 20.01.2025 made in W.P.No.831 of 2025 on the file of this Hon'ble Court.

2. It is informed that, pursuant to the order passed by this Court on 03.02.2026, a survey has been conducted in respect of the subject property and, at the time of the survey, the jurisdictional police provided the necessary protection. However, instead of fencing the boundary with stones, the Revenue Authorities have demarcated the boundaries using sticks. Therefore, the boundaries have to be demarcated again with stones, and necessary police protection is also required for that purpose. It is also informed that the petitioner has already obtained a decree in his favour in suit O.S. No.312 of 2016, on the file of the District Munsif Court, Dharapuram, wherein his title to the suit property has been declared.



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3. During the course of arguments, with regard to police protection, the learned counsel for the petitioner relied upon the judgment of the Hon'ble Supreme Court reported in (2006) 4 SCC 501 – **P.R.Murlidharan and Others Vs. Swami Dharamananda Theertha Padar and Others** wherein the Hon'ble Supreme Court had held as follows:-

“17. A Writ Petition under the guise of seeking a writ of mandamus directing the police authorities to give protection to a Writ Petitioner, cannot be made a forum for adjudicating on civil rights. It is one thing to approach the High Court, for issuance of such a writ on a plea that a particular party has not obeyed a decree or an order of injunction passed in favour of the Writ Petitioner, was deliberately flouting that decree or order and in spite of the petitioner applying for it, the police authorities are not giving him the needed protection in terms of the decree or order passed by a court with jurisdiction.

19. A writ for "police protection" so-called, has only a limited scope, as, when the court is approached for protection of rights declared by a decree or by an order passed by a civil court. It cannot be extended to cases where rights have not been determined either finally by the civil court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order.

20. Having said this, I agree with my learned Brother and allow the appeal, set aside the order of the High Court and dismiss the Writ Petition filed by the first respondent.”



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4. The learned counsel for the petitioner would also rely upon a judgement of this Court reported in **2014 (2) CTC 695 – Radhika Sri Hari and Another Vs. Commissioner of Police, Coimbatore City, Coimbatore and Another**, wherein the learned Judge of this Court had observed as follows:-

“7. In the aforesaid circumstances, this court considers it appropriate to refer to report of the committee constituted by the Government in G.O.(3D) No.42, Home dated 30.06.2008 towards review of the system of treating complaints relating to money and land matters and to suggest a legally acceptable methodology. The report of such committee touching upon several issues, was accepted by Government. Having done so, under G.O.Ms.No.1580 Home (POL.VII) Department dated 24.11.2008, the Director General of Police was required to circulate the report along with the 14 point guidelines annexed to such Government order to police officers/stations for appropriate adherence. Under C.No.43/CRB/CSP/2008 dated 08.12.2008, the Commissioner of Police, Chennai Sub-Urban, has caused communications to all Deputy Commissioners, Assistant Commissioners and Inspector of police for necessary action. Guideline 11 issued by the committee reads as follows:

"11. When police protection is sought for the implementation of a civil court order it should be given readily. Police should not insist on a specific court direction to give police protection."



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8. *What is informed above makes clear that the petitioner would be entitled to police protection as prayed for. Criminal original petition is allowed. There will be a direction to respondents to provide police protection to the petitioners for a period of three weeks from the date of receipt of a copy of this order towards enabling them raising fresh barbed wire fences on their property. The same will be at the cost of the petitioner.”*

5. In view of the above, this Contempt Petition is disposed of with the following directions:

“(i) The demarcation of the boundary with boundary stones and fencing of the subject property shall be carried out on 25.02.2026 and 26.02.2026.

(ii) The jurisdictional police shall provide necessary protection while the boundary stone fixing and fencing is being carried out.”

23-02-2026

SHR

To

1. Loganathan
The Firka Surveyor,
Alangiyam,
Dharapuram Taluk,
Tiruppur District.
2. Velusamy
The Village Administrative Officer,
Selampalayam village,

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3. Yadav Girish Ashok
The Superintendent of Police,
Tiruppur District.

4. Vijaya Sarathi
The Inspector of Police,
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P.T.ASHA J.

SHR

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