



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 217 of 2026
and WPMP CrI.No.445 of 2026

P.Mylsamy

..Petitioner(s)

Vs

1. The District Collector,
District Collector Office,
Coimbatore - 641 018.
2. The Revenue Divisional Officer,
Sub-Collector Office,
Pollachi.
3. The Tahsildar,
Taluk Office,
Kinathukadavu Taluk,
Coimbatore District.
4. The Taluk Head Surveyor,
Kinathukadavu Taluk,
Coimbatore District.
5. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District.
6. Ponnusamy
S/o.Kandasamy Gounder
No.10, Muthur Village
Kinathukadavu Taluk
Coimbatore District



7. Valliammal
W/o.Rekkiappan
No.10, Muthur Village
Kinathukadavu Taluk
Coimbatore District

(R6 & R7 impleaded vide order of this Court
dated 10.06.2026 in WPMP.CrI.445/2026 in
WP CrI.217 of 2026)

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or writ or direction, directing the Respondent 3 and 4 herein to provide necessary assistane of the 5th Respondent to demarcate the petitioner property so as to comply with the erection of the barbed wire fence in Petitioner land situated in S.F.No.46/B4, Measuring an extent of 1.92 acres in Pottaiyandipurambu Village, Kinathukadavu Taluk, Coimbatore District within a time frame fixed by this Honble Court by considering the petitioner representation dated 12.12.2025.

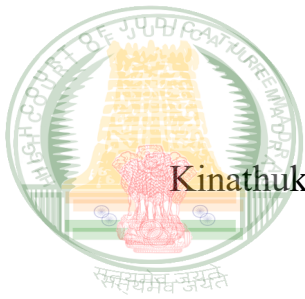
For Petitioner(s): Mr.P.Dinesh Kumar

For Respondent(s): Mr.R.Ganesh Kumar
Government Advocate (CrI. Side) – R1 to R5

Mr.L.Mouli – R6 & R7

ORDER

The Writ Petition has been filed for a direction, directing the 3rd and 4th respondent to provide adequate assistance to the 5th respondent to demarcate the petitioner's property to fence the same. The property comprised in S.F.No.46/B4 to an extent of 1.92 acres in Pottaiyandipurambu Village,



Kinathukadavu Taluk, Coimbatore District.

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2.It is claimed by the petitioner that he is the owner of the above said property by virtue of compromise decree passed in A.S.No.48 of 1996, on the file of Sub Court, Udumalaipet. It is his contention that the 6th respondent, who is now impleaded in this Writ Petition vide WPMP.CrI.No.445 of 2026, being the adjacent owner of the property, continuously disturbing the petitioner's possession and peaceful enjoyment of the property, hence the petitioner was constrained to file a Suit in O.S.No.517 of 1998, on the file of the District Munsif Court, Pollachi, for permanent injunction. Thereafter, the petitioner also lodged a complaint and the same has been registered in Crime No.368 of 2021, on the file of the 5th respondent.

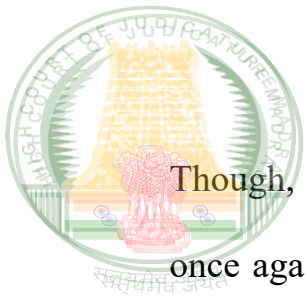
3.The petitioner, now, filed this Writ Petition seeking a direction to the 5th respondent to consider his representation to provide adequate police protection to put up fence in the above said property. The petitioner also approached this Court on several occasions seeking police protection to fence his property and also to conduct survey. However, all the writ petitions were dismissed on the ground civil dispute is pending between the petitioner and the 6th respondent herein.

4.The learned counsel for the 6th respondent submitted that the 6th



respondent filed a Suit in O.S.No.349 of 2023 on the file of the Sub Court, Pollachi, for declaration and injunction in respect of the subject property, to an extent of 1.67 acres in Survey No.46/B, situated at Pottaiyandipurambu Village, Kinathukkadavu, Coimbatore, and it is pending for adjudication. He further points out that the petitioner herein is a retired Village Administrative Officer and while he was in service, during updating Register Scheme, he had included his name in the revenue records along with the 6th respondent's name and filed a Suit in O.S.No.517 of 1998 in respect of 0.89 acres, comprised in S.F.No.46/B4 against the 6th respondent, on the file of the the District Munsif Court, Pollachi, which was decreed and he was granted injunction for the property comprised in S.F.No.46/B4 to the extent of 0.89 cents. Even then, the petitioner claimed the entire extent of the 1.92 acres comprised in S.F.No.46/B4. Therefore, the 6th respondent filed a suit in O.S.No.147 of 2016, seeking permanent injunction by mentioning correct boundaries and in the Suit the petitioner filed an application in I.A.No.1245 of 2016, seeking rejection of plaint on the ground of *resjudicata* and no cause of action and said application was dismissed holding that the boundaries are different and there is no cause of action. Thereafter, the 6th respondent filed a Suit in O.S.No.349 of 2023, on file of Sub Court, Pollachi, which is pending adjudication.

5. When that being so, the petitioner keeps on filing Writ Petitions seeking assistance from the surveyor to demarcate the property and to fence the same.



Though, this Court rejected his requests on several occasions, the petitioner once again filed the above Writ Petition, that too, without impleading the 6th respondent. Subsequently, the 6th respondent has now filed a petition in WPMP CrI.No.445 of 2026, seeking to implead himself as the 6th respondent and one Valliammal, wife of Rakkiappan as the 7th respondent, and the same stands ordered accordingly.

6.On a perusal of the status report filed by the 1st respondent viz. The District Collector, Coimbatore, and the submissions made by the learned Government Advocate, it is seen that the complaint was received by the 5th respondent, and the same has been forwarded to the 3rd respondent. Thereafter, there was a joint discussion along with the revenue officials. The revenue authorities explained in detail about the existence of the boundary and the extent dispute in S.F.No.46/B4, which was already decided by the District Revenue Officer on 16.09.2025. That apart, a Suit is also pending in O.S.No.349 of 2023, in respect of the subject property. Therefore, the prayer sought for in the above Writ Petition cannot be considered. This Court considers that the Writ Petition is completely devoid of merit and is liable to be dismissed.

7.The Writ Petition stands dismissed accordingly. The petitioner is granted liberty approach the Revenue authorities, if he succeeds in the Civil Suit



G.K.ILANTHIRAIYAN, J.

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in accordance with law. No costs. Consequently, the connected
WPMP.CrI.No.445 of 2026 is allowed.

10-06-2026

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

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