



WEB COPY

WP CrI. No. 314 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 314 of 2026

Jothinathan

..Petitioner

Vs

- 1.The Superintendent of Police,
Thiruvallur District,
Chinna Ekkadu, Jaya Nagar,
Thiruvallur – 602 001.
- 2.The Deputy Superintendent of Police,
Thiruvallur, Kamarajar Street,
MGM Nagar, Thiruvallur – 602 001.
- 3.The Inspector of Police,
Law and Order,
B-4, Sevvapettai Police Station,
Sevvapettai – 602 025.
- 4.B.Delli Rani
- 5.M.Balakrishanan

..Respondents

Prayer : Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 30.12.2025 and provide adequate and effective police protection to the petitioner for constructing the compound wall in respect of the schedule property, within the time frame fixed by this Court.



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For Petitioner:

Mr.I.Thiyagaiya

For Respondents:

Mr.R.Ganesh Kumar

Counsel for Government of Tamil Nadu
(Criminal Side) for RR1 to 3

Mr.K.Kumaraguru

for M/s.Selvamani for R4 & R5

ORDER

This Writ Petition (Criminal) has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's representation dated 30.12.2025 and provide adequate and effective police protection to the petitioner for constructing the compound wall in respect of the schedule property.

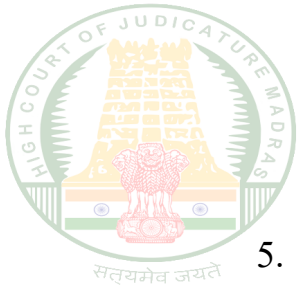
2. Heard the learned counsel for the petitioner and the learned Counsel for Government of Tamil Nadu (CrI.Side) appearing for the respondent 1 to 3 and the learned counsel for the respondents 4 and 5. Perused the materials available on record.

3. The petitioner is a building contractor by profession and purchased the property through Court auction sale. The property originally belong to the respondents 4 and 5 herein and that they borrowed a loan by memorandum of depositing the title deed with Indian bank. However, they committed default and as if the said property was brought for Court auction sale, in which, the



petitioner is the auction purchaser. However, the respondents 4 and 5 herein objected the peaceful possession and enjoyment of the subject property of the petitioner. Therefore, the petitioner filed a suit in O.S.No.167 of 2025 before the Principal District Munsif Court, Thiruvallur and also obtained an order of interim injunction as against the respondents 4 and 5 herein in I.A.No.20 of 2025. Despite the order of interim injunction passed in the petitioner's favour, the respondents 4 and 5 continued to trespass upon the property and attempted to put up unauthorized construction. In such circumstances, the petitioner submitted a representation dated 30.12.2025 to the 3rd respondent seeking police protection. Despite the same, the 3rd respondent has failed to take any action.

4. The learned counsel for the respondents 4 and 5 submits that they are residing in the subject property in a house. The bank officials committed fraud while selling the property through Court auction sale. Therefore, the respondents 4 and 5 herein also lodged a complaint before the District Crime Branch, Thiruvallur and it is pending for investigation. Further, the petitioner also did not take any physical possession of the property in the manner known to law, after purchase through Court auction sale conducted by the Indian Bank. Therefore, the police protection sought for by the petitioner to put up compound wall cannot be considered.



5. In view of the above, this Writ Petition (Criminal) stands dismissed. The petitioner ought to have taken physical possession of the subject property in accordance with law and thereafter, seek necessary police protection. No costs.

23-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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- 3.The Inspector of Police,
Law and Order,
B-4, Sevvapettai Police Station,
Sevvapettai – 602 025.
- 4.The Public Prosecutor,
High Court, Madras.



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