



WEB COPY

WP CrI. No. 454 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 454 of 2026

S. Mathiyazhagan

..Petitioner(s)

Vs

1. The Superintendent of Police,
Namakkal District.
2. The Deputy Superintendent of Police,
District Crime Branch,
Namakkal District.
3. The Inspector of Police
District Crime Branch,
Namakkal District.
4. R. Srinivasan

..Respondent(s)

Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 3 not to interfere in the civil dispute relating to the property in question and not to take any coercive action against the petitioner based on the complaint given by the fourth respondent.

For Petitioner(s):

Mr.S.Sudhanthiran

For Respondent(s):

Mr.Leonard Arul Joseph Selvam,
Addl. Public Prosecutor for R1 to R3



ORDER

WEB COPY This Writ Petition (Criminal) has been filed seeking issuance of a direction to the respondents 1 to 3 not to interfere in the civil dispute pertaining to the subject property and not to initiate any coercive action against the petitioner based on the complaint lodged by the 4th respondent.

2. The learned counsel for the petitioner submitted that the petitioner is acting as a caretaker of one Jagannathan and is also claiming rights over the subject property by virtue of a Will allegedly executed by the said Jagannathan. He further submitted that the dispute with regard to the property is purely civil in nature. However, the third respondent has issued summons to the petitioner for enquiry on 27.01.2026 based on the complaint given by the fourth respondent. Aggrieved by the same, the present petition has been filed seeking protection against coercive action.

3. The learned Additional Public Prosecutor appearing for the respondents 1 to 3 submitted that the property originally belong to the said Jagannathan and after his demise, his wife, namely Lakshmi became the legal heir. The said Lakshmi has alienated 50% of the property in favour of the 4th respondent and the remaining 50% was settled in favour of her brother's sons, namely, Balaji Veeraragavan and Vasu Venkatraman, by way of a Will, which



has been duly probated in O.P.No.49 of 2025 by order dated 23.10.2025. He further submitted that the petitioner, who was working as a domestic help, is now making a claim over the property. The petitioner was only summoned for the purpose of enquiry and to produce documents in support of his claim, and the same cannot be construed as harassment.

4. The learned counsel for the petitioner, on instructions, submitted that the petitioner is willing to appear before the third respondent on 30.03.2026 along with all relevant documents to substantiate his claim.

5. Considering the submissions made on either side, this Court is of the view that the dispute between the parties is predominantly civil in nature relating to title and possession of the subject property. The materials placed before this Court indicate that the petitioner has been summoned only for the purpose of enquiry based on a complaint given by the fourth respondent. At stage, it cannot be said that the action of the respondents police amount to harassment or illegal interference warranting exercise of inherent jurisdiction. However, the petitioner's apprehension of coercive action can be suitably addressed by issuing limited protection.

6. In view of the above, the petitioner is directed to appear before the third respondent on 30.03.2026 and co-operate with the enquiry. The third



respondent is directed to take any coercive action against the petitioner, except in accordance with law, and only after following due process.

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7. With the above directions, this Criminal Writ Petition is disposed of. No costs.

26-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

- 1.The Superintendent of Police,
Namakkal District.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Namakkal District.
- 3.The Inspector of Police
District Crime Branch,
Namakkal District.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

VKR

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