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*W.P. CrI. 500 of 2026*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2026

CORAM

**THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR**

W.P. (CrI.). No. 500 of 2026

H. Sankar

..Petitioner

Vs.

1. The Superintendent of Police,  
Krishnagiri.
2. The Deputy Superintendent of Police,  
Uthangarai, Krishnagiri Taluk.
3. The Inspector of Police,  
Singarapettai Police Station,  
Krishnagiri District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 3<sup>rd</sup> respondent to provide necessary Police protection to the petitioner to fence the property situate at Nadupatti (Ettipatti) Village, Nadupatti Post, Uthangarai Taluk & Krishnagiri in S. No. 132/1, measuring 1.93 acres by considering the representation made by the petitioner dated 17.01.2026.



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For Petitioner :: Mr.J. Bharathiraja

For Respondents :: Mr.Leonard Arul Joseph Selvam  
Addl. Public Prosecutor

### O R D E R

This writ petition is filed for issue of a Writ of Mandamus to direct the 3<sup>rd</sup> respondent to provide necessary Police protection to the petitioner to fence the property situate at Nadupatti (Ettipatti) Village, Nadupatti Post, Uthangarai Taluk & Krishnagiri in S. No. 132/1, measuring 1.93 acres by considering the representation made by the petitioner dated 17.01.2026.

2(i). The petitioner is the owner of the property measuring 1.93 acres situated at Nadupatti (Ettipatti) Village, Nadupatti, Uthangarai Taluk & Krishnagiri District. The petitioner came to be in possession of the property by way of a registered partition deed vide Document No.237 of 2013 registered before the Sub-Registrar, Uthangarai. Since then, the petitioner has been in continuous possession and enjoyment of the same. While so, some of the adjacent land owners tried to disturb his possession, which resulted in the petitioner filing a suit in O.S. No. 2 of 2024 before the District Munsif Court, Uthangarai, to safeguard his possession and a decree



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was also passed on 19.09.2024. Thereafter, when the petitioner tried to fence his property by putting up boundary stones, again there were some objections regarding survey of the property by people against whom the petitioner had a decree. Therefore, the petitioner filed W.P. No. 35881 of 2025 before this Court seeking survey of the above land with Police protection and the said writ petition was disposed of by order dated 15.10.2025 directing the Tahsildar, Uthangarai to survey the land and take police aid from the 3<sup>rd</sup> respondent, if necessary.

2(ii). Pursuant to the direction of this Court, though the Tahsildar conducted the survey and marked the boundaries, the petitioner was not permitted to erect the boundary stones around his property stating that there was no order passed by this Court to that effect and when the petitioner tried to fence his property as per the survey conducted by the Tahsildar, the private parties had issued him a threat, which necessitated the petitioner to submit a representation dated 17.01.2026 to the respondents to seek police protection to fence his property. However, there was no response. Hence, the present writ petition with the prayer aforesaid.



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3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

4. It is seen that the petitioner had sent a representation dated 17.01.2026 to the respondents seeking police protection to fence his property measuring 1.93 acres situated at Nadupatti (Ettipatti) Village, Nadupatti, Uthangarai Taluk & Krishnagiri District since there were objections raised by certain people when the petitioner attempted to fence his property. Earlier, when there were objections raised for survey of the property and for putting up boundary stones, the petitioner had approached this Court by way of W.P. No. 35881 of 2025 and this Court, by order dated 15.10.2025 had issued a positive direction to the Tahsildar concerned to conduct survey and seek police aid, if necessary. Thereafter, the survey was conducted and boundaries were earmarked. Now, as a consequential act, for fencing the property, there can be no objection. Merely, by use of force, the petitioner cannot be deterred from having his right of enjoyment over the property.

5. In view of the same, this Court directs the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to provide adequate police protection when the petitioner is



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fencing his property unless there are any contrary orders from the competent authority or Court. Any laxity on the part of the 2<sup>nd</sup> and 3<sup>rd</sup> respondents would be viewed seriously. The petitioner is directed to approach the 2<sup>nd</sup> respondent with all necessary records and a copy of this order on or before 16.03.2026 and thereafter, within a period of 3 weeks, the order of this Court shall be complied with.

6. The writ petition is disposed of accordingly.

05.03.2026

nv

(Note to Office: Issue order copy  
on **10.03.2026**)

To

1. The Superintendent of Police,  
Krishnagiri.
2. The Deputy Superintendent of Police,  
Uthangarai, Krishnagiri Taluk.
3. The Inspector of Police,  
Singarapettai Police Station,  
Krishnagiri District.
4. The Public Prosecutor,  
High Court, Madras.

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**M. NIRMAL KUMAR,J.**

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