



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 922 of 2026

A.Muthaiyan
S/o.Annamalai,
Main Road,
Ka.Sellampatti Village,
Sinnasalam Taluk,
Kallakurichi District.

..Petitioner(s)

Vs

1. The Inspector of Police
Kallakurichi Police Station,
Kallakurichi.

2. Selvakumar
S/o.Arunachalam,
Aruna Silk House,
Salem Main Road,
Kallakurichi 606202.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to provide adequate police protection based on the petitioner's representation dated 21.02.2026.

For Petitioner(s):

Mr.S.Tamil Selvan

For Respondent-1:

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor

ORDER

The Writ Petition has been filed seeking a direction to the 1st respondent to provide adequate police protection based on the petitioner's representation dated 21.02.2026.



2.The petitioner had sent a representation to the first respondent on 21.02.2026 seeking for police protection to fence his property. Since no action has been taken, the present petition is filed.

3.The contention of the learned counsel for petitioner is that the petitioner is having a land in Plot No.184/48 measuring 0.25.0 acre, which is 0.52 cents at Emapper village, Kallakurichi District. The said plot was earlier owned by one Syed Kadar and the petitioner entered into a sale agreement on 06.10.2012 and thereafter sale deed not executed. The petitioner filed civil suit against Syed Kadar in O.S.No.68 of 2015, which was decided in favour of the petitioner by judgment and decree dated 21.12.2015. Thereafter too, Syed Kadar not executed the sale deed. The Civil Court ordered the sale deed to be registered in the petitioner's name on 21.04.2017. Thereafter the petitioner is in peaceful possession and enjoyment of the property. The patta and revenue records stands in the name of the petitioner. The petitioner also paying kist and other taxes. This being so, on 12.01.2026, when the petitioner attempted to fence his property, one Selvakumar claimed that he had right over the property and obstructed fencing of the property and also threatened the petitioner. The petitioner earlier lodged a complaint on 19.01.2026. Though CSR No.2347 of 2025 assigned, thereafter no action has been taken.



4.The learned Additional Public Prosecutor submitted that on the petitioner's complaint CSR No.2347 of 2025 assigned, enquiry conducted and one week thereafter, i.e., during last week of December, 2025, CSR closed and thereafter the present representation said to have been given in February, 2026, but the same was not received by the first respondent police. Further, the petitioner also not produced any postal receipt to show that said complaint served to the first respondent.

5.Considering the submission made and on perusal of the materials, it is seen that the petitioner purchased the property through Court order. All the revenue records stands in the name of the petitioner. The second respondent has no reason to obstruct the fencing of the property. The first respondent police closing the earlier CSR, directing the petitioner to approach the Civil Court is not proper. When all documents are in the name of the petitioner, the said Selvakumar without any right or order of the Court, cannot cause any obstruction.

6.In view of the above, the petitioner is directed to appear before the first respondent on 27.04.2026 and to give a copy of the earlier complaint followed by its representation dated 21.02.2026 and the Inspector of Police, Kallakurichi/first respondent to cause enquiry, not to strut away its responsibility just stating to approach the Civil Court, when the revenue records



are in favour of the petitioner and to provide police protection for fencing the property and ensure no obstruction is caused by the second respondent or any other person without any legal authority or orders of this Court. The said exercise to be completed within a period of three weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition stands disposed of.

21-04-2026

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

RSI



To

1. The Inspector of Police
Kallakurichi Police Station,
Kallakurichi.
2. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

RSI

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