



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

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CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP Crl. No. 1080 of 2026

N.V.Ashok kumar
S/o.V.B.Nanjunda Chetty,
No.9/13, Janabar Street,
Bagalur Road,
Hosur Town, Hosur,
Krishnagiri District - 635 109.

..Petitioner

Vs

1. The Superintendent of Police,
District Police Headquarters,
Krishnagiri - 635 115.
2. Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
3. Tahsildar
Hosur,
Krishnagiri.
4. The Commissioner
Hosur City Municipal Corporation,
Thillai Nagar,
Hosur.
5. Nagaraj
S/o.Pappanna,
Midigiripalli Village,
Mathigiri, Hosur.



6. Marimuthu
S/o.PechimuthuKonar,
No.5/4, 1st Floor, Nehru Nagar,
First Cross Hosur Town and TK,
Krishnagiri District.

..Respondents

Prayer : Writ Petition (Criminal) filed under Article 226 of the Constitution of India, directing the 1st and 2nd Respondents, and the 3rd and 4th Respondents to take appropriate necessary action on the basis of the complaint dated 15.12.2025 and 22.01.2025 and on 16.06.2025 and 18.12.2024 against the violators of law being the 5th and 6th Respondents.

For Petitioner : Mr.V.K.Sathiamurthy

For Respondents: Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side) for R1 to R4

ORDER

This Writ Petition (Criminal) has been filed seeking a direction to the 3rd and 4th respondents to take appropriate action based on the complaint lodged by the petitioner against the 5th and 6th respondents.

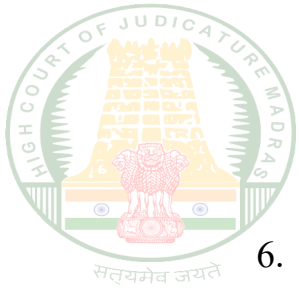
2. Heard the learned counsel appearing for the petitioner and the learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondents 1 to 4. Perused the materials available on record.



3. The learned counsel appearing for the petitioner submitted that the petitioner had already filed a suit in O.S.No.202 of 2016 seeking declaration of title, permanent injunction and removal of the encroachment made by the 5th and 6th respondents herein. The said suit was decreed by Judgment and Decree dated 12.04.2022. However, the petitioner was unable to execute the said decree. Consequently, he filed a private complaint in CrI.M.P.No.37371 of 2023 on the file of the Judicial Magistrate No.II, Hosur, wherein, the learned Judicial Magistrate No.II, Hosur, directed the second respondent to conduct an enquiry and submit a report.

4. In the meantime, the petitioner also approached this Court by filing CrI.O.P.No.24673 of 2023. Further, the petitioner obtained an order from this Court in W.P.No.30596 of 2023 to survey the subject property. However, the fifth and sixth respondents obstructed the surveyor from surveying the property. Consequently, the petitioner has been unable to enjoy the subject property, which constrained him to lodge the present complaint.

5. Admittedly, the petitioner has obtained a decree for removal of the encroachment. Therefore, the petitioner ought to have approached the civil Court to execute the decree obtained against the fifth and sixth respondents. The petitioner may also seek police aid before the Executing Court to enforce the decree.



6. In view of the above, this Court finds no merits in this writ petition

and the same is liable to be dismissed. Accordingly, this Writ Petition (Criminal) stands dismissed. However, the petitioner is at liberty to lodge a fresh complaint on a fresh cause of action, if any arises. No costs.

25-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

LPP

To

1.The Superintendent of Police,
District Police Headquarters,
Krishnagiri - 635 115.

2.The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.

3. The Tahsildar
Hosur,
Krishnagiri.

4.The Commissioner
Hosur City Municipal Corporation,
Thillai Nagar,
Hosur.

5.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN J.

LPP

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