



WEB COPY

WP CrI. No. 1049 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 1049 of 2026

K.Rajagopal

..Petitioner(s)

Vs

1. The Superintendent of Police
Edapady,
Salem District.
2. The Inspector of Police
Edapady Police Station,
Salem District.
3. R. Bakkiyam
4. R. Venkatesan
5. V. Sabitha

..Respondent(s)

Prayer:- This Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the respondents 1 and 2 to provide adequate police protection to the petitioners to have free ingress and egress through the cart track pursuant to the sale deed dated 23-10-2024 with document No.5525 of 2024 situate at Avaniperur Melmugam Village, Edapady taluk Edapady, in accordance with law and render justice.

For Petitioner(s):

Mr.C.Kanagaraj

For Respondent(s):

M/S. Leonard Arul Joseph Selvam

Additional Public Prosecutor for R1 & R2

ORDER

This petition has been filed seeking a direction to the respondents 1 and 2 to provide adequate police protection to the petitioner to ensure free ingress and egress through the cart track situated at Avaniperur Melmugam Village, Edapady taluk Edapady.



2.The petitioner contends that a representation was sent on 08.04.2026 following which C.S.R.No.0177 of 2026 was assigned by the second respondent. However, no action has been taken. The petitioner who owns agricultural land in Avaniperur Melmugam Village, Edapadi Taluk, alleges that while they were fencing their property, the adjacent land owners namely Venkatesh and his mother Bakkiyam (respondents 3 and 4) objected and removed the fencing without authority, using the property as a common passage. When the same was questioned, the respondents 3 and 4 allegedly abused and threatened the petitioner with dire consequences.

3.The learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that the enquiry in C.S.R.No.177 of 2026 is currently pending. The petitioner has been directed to produce supporting documents and Venkatesh and Bakkiyam have been summoned. He further submitted that, after verifying the documents, if it is found that the petitioner's rights are being encroached upon or that they are being prevented from enjoying their property, adequate police protection will be provided. The police will ensure no damage is caused to the property and the inquiry will be completed within two months

4.Considered the rival submissions and perused the materials available on record.



5. In view of the above submissions, the second respondent is directed to conduct an inquiry into the complaint registered in C.S.R. No. 177 of 2026, after providing a reasonable opportunity to both the petitioner and respondents 3 and 4 to present their case and submit relevant documents. If the inquiry reveals that the petitioner's right to the property and the cart track is legally established and that there is a genuine threat of physical obstruction or damage by the private respondents, the second respondent shall provide adequate police protection to ensure the petitioner's free ingress and egress. The entire process and the inquiry shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this Petition is disposed of. No costs.

30-04-2026

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To

1. The Superintendent of Police
Edapady,
Salem District.
2. The Inspector of Police
Edapady Police Station,
Salem District.
3. The Public Prosecutor
High Court of Madras.



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M.NIRMAL KUMAR, J.

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