



WEB COPY

WP CrI. No. 1030 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. 1030 of 2026

Gowri Shankar

..Petitioner(s)

Vs

1. The Superintendent of Police,
Office of Superintendent of Police,
Dharmapuri.
2. The Inspector of Police,
Bommidi Police Station,
Bommidi,
Dharmapuri District - 635 301.
3. Subramani

..Respondent(s)

Prayer:- This Petition is filed under Article 226 of the Constitution of India, pleased to issue Writ of Mandamus or any other order or direction or in the nature of appropriate writ directing the respondents, particularly 2nd Respondents by considering the petitioner's complaint which is assigned as CSR.No.129/2026 dated 06.04.2026, to provide adequate police protection to remove bushes by using JCB in the petitioner's property comprised in Survey Nos.206/1, 206/2, 207/2, 209/1A, 57/7A and 57/7C, situated at Kondagarahalli Village, Dharmapuri District and pass suitable orders.

For Petitioner(s):

Mr.G.Mohammed Aseef

For Respondent(s):

M/S. Leonard Arul Joseph Selvam

Additional Public Prosecutor for R1 and R2

ORDER

This petition has been filed seeking a direction to the 2nd Respondent to consider the petitioner's complaint, assigned CSR.No.129/2026 dated 06.04.2026, and to provide adequate police protection for the removal of



bushes using a JCB on the petitioner's property comprised in Survey Nos.206/1, 206/2, 207/2, 209/1A, 57/7A and 57/7C, situated at Kondagarahalli Village, Dharmapuri District.

2.The petitioner contends that although a complaint was filed and C.S.R.No.129 of 2026 was assigned on 06.04.2026, no further action has been taken. The petitioner seeks police protection to clear the land and ensure peaceful possession. It is submitted that one Subramani (the petitioner's paternal uncle) is obstructing the petitioner's enjoyment of the property. The petitioner, along with others, had filed a civil suit in O.S. No. 51 of 2025 before the Principal District Judge, Dharmapuri. By a judgment dated 10.10.2025, the court directed the said Subramani to divide the suit properties into two equal shares and allot a 1/2 share to the petitioner and his siblings. Despite this court order, the respondents have not taken any action to prevent the interference.

3.The learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that based on the petitioner's complaint, CSR No. 129 of 2026 was assigned and an enquiry is pending as of 06.05.2026. He further submitted that the petitioner has only obtained a preliminary decree in O.S.No.51 of 2025, and a final decree is yet to be passed. Until a final decree is passed and the land is divided by metes and bounds, the respondent police cannot intervene in the division of the property. As the dispute is between close relatives, the petitioner



must take steps to obtain a final decree. If obstruction continues after the partition is completed, then the police will take appropriate action. Both the petitioner and Subramani are to be summoned for an enquiry to resolve the immediate grievance.

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

5.It is seen that CSR has already been assigned in CSR No. 129 of 2026. The 2nd respondent is directed to conduct an enquiry by summoning both the petitioner and the counter-petitioner, Subramani and pass appropriate orders in accordance with law within a period of two months from the date of receipt of copy of this order. If there is any threat to the life and liberty of the petitioner, the respondent police shall provide protection.

6.With the above directions, this Petition is disposed of. No costs.

30-04-2026

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M.NIRMAL KUMAR, J.

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To

1. The Superintendent of Police,
Office of Superintendent of Police,
Dharmapuri.
2. The Inspector of Police,
Bommidi Police Station,
Bommidi,
Dharmapuri District - 635 301.
3. The Public Prosecutor
High Court of Madras.

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