



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP Crl. No. 1170 of 2026

and

WPMP CRL. Nos.386 to 389 of 2026

1. S.S.Palani
2. R.Sangeetha

..Petitioners

Vs

1. The Tahsildar
Kollimalai Taluk,
Namakkal District.
2. The Inspector of Police (Rural)
Vaazhavandhinadu,
Kollimalai Taluk,
Namakkal District.
3. The Deputy Taluk Inspector, (Revenue)
Kollimalai Taluk,
Namakkal District.
4. The Firka Surveyor,
Vaazhavandhinadu,
Kollimalai Taluk,
Namakkal District.
5. The Village Administrative Officer,
Selurnadu Village,
Kollimalai Taluk,
Namakkal District.
6. Devi
7. T.Sathish



8. P.Palanisamy
9. V.Srinivasan
10. Thiruman
11. Thamaraiselvi
12. Palanisamy @ Aandi
13. C.Kumar
14. A.Duraisamy
15. V.Ramasamy

..Respondent(s)

Prayer : Writ Petition filed under Article 226 of Constitution of India, praying to issue Writ of Certiorarified Mandamus to call for records relating to the order dated 14.03.2026 passed by the Respondents 1 to 5 and quash the same and consequently direct the 1st Respondent to survey the old survey No.198, new survey No.751, Selurnadu Village, Kollimalai, Senthamangalam Sub-District, Namakkal District and sub divide the same on the basis of the Petitioners' representation dated 04.04.2026.

For Petitioners:

Mr.K.Elangoo

For Respondents:

Mr.R.Ganesh Kumar

Counsel for Government of Tamil Nadu
(Criminal Side) for R1 to R3

Mr.C.Jagadish for R6, R8 and R9

Mr.P.Raja for R7, R10 & R11

ORDER

This Writ Petition (Criminal) has been filed challenging the order dated 14.03.2026 passed by the first respondent, thereby directing the petitioners as well as the counter parties, viz., the respondents 6 to 15 not to occupy the land comprised in Survey No.198, New Survey No.751, situated at Selurnadu Village, Kollimalai Taluk, Namakkal District.



2. Heard the learned counsel appearing on either side and perused the materials available on record.

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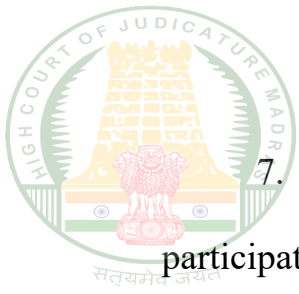
3. There is a dispute in respect of the land comprised in Survey No.198, New Survey No.751, to an extent of 30 cents, situated at Selurnadu Village, Kollimalai Taluk, Namakkal District, which was purchased by the sixth respondent by way a registered sale deed. At the same time, the petitioners are claiming title over an extent of 8.03 acres in Survey No.198. The seventh respondent and others are also claiming title and possession over some extents of land in Survey No.198 on the strength of their respective sale deeds pertaining to the property situated at Selurnadu Village, Kollimalai Taluk, Namakkal District.

4. Therefore, on the complaint lodged by the sixth respondent, the second respondent referred the complaint to the first respondent for initiating proceedings under Section 145 of Cr.P.C. Thereafter, the first respondent issued notice to both the parties and convened a Peace Committee Meeting. During the Peace Committee Meeting, no resolution was resolved and as such, the by proceedings dated 14.03.2026, first respondent passed an order directing both the 'A' party and 'B' party not to occupy the land comprised in Survey No.198, to an extent of 68 cents, until further orders.



5. The learned counsel appearing for the petitioner submitted that, in the said village, the respective shares of the parties had not been properly demarcated even after their purchase of the properties. Therefore, if the land is surveyed by the surveyor, the entire issue would be resolved. That apart, though the sixth respondent lodged a complaint only in respect of 30 cents of the land comprised in Survey No.198, the first respondent, without application of mind, issued summons in respect of an extent of 68 cents and also restrained both the 'A' party and 'B' party from entering into the property comprised in Survey No.198 situated at Selurnadu Village, Kollimalai Taluk, Namakkal District.

6. A perusal of the records and the submissions made on either side reveals that the sixth respondent and others, viz., the respondents 7 to 15, had purchased totally an extent of 68 cents of land. Consequently, the Tahsildar issued summons in respect of 68 cents of land in Survey No.198, situated at Selurnadu Village, Kollimalai Taluk, Namakkal District. Pursuant to the summons, both 'A' party and 'B' party appeared before the first respondent and participated in the Peace Committee Meeting. However, no amicable settlement arrived at between the parties. Consequently, both parties were directed to approach the Civil Court for appropriate relief and till then, they were directed not entering into the said property.



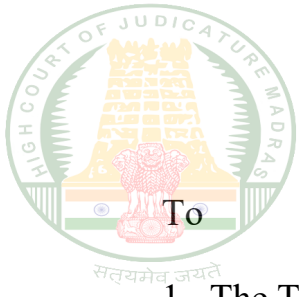
7. Admittedly, the first respondent called 'A' party and 'B' party to participate in the Peace Committee Meeting. Though the parties did not arrive at any amicable settlement, the first respondent ought not to have passed an order restraining both parties from entering into the subject property without initiating proceedings under Section 145 of Cr.P.C. On this sole ground, the impugned order passed by the first respondent cannot be sustained and is liable to be set aside.

8. Accordingly, the order dated 14.03.2026 passed by the first respondent is hereby set aside and the Writ Petition (Criminal) stands allowed. It is brought to the notice of this Court that the sixth respondent has already approached the Civil Court for declaration of title and consequential prayers in respect of the extent of 30 cents claimed under the sale deed in his favour. Therefore, the parties, viz., the petitioners and the respondents 6 to 15, are directed to approach the Civil Court for appropriate relief in respect of their respective claims arising out their sale deeds, in accordance with law. In the meanwhile, the parties are directed to maintain status quo as on today.

08-06-2026

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

LPP



To

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WP CrI. No. 1170 of 2



G.K.ILANTHIRAIYAN J.

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