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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

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THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Crl. No. 2439 of 2026

CNR:{HCMA012186092026}

K.V.T.Karthikeyan
S/o Late Venkadesan,
No.4/174/5, Pillaiyar Kovil Street,
Dasanaickenpatti,
Salem District.

..Petitioner

Vs

1. The Commissioner of Police
   Salem City,
   Salem District.

2. The Assistant Commissioner of Police
   Salem City, Salem District.

3. The Inspector of Police
   P-4, Annathanapatti Police Station,
   Salem City,
   Salem District.

4. V. Sankar Ramesh
   21, West Street Trichy Main Road,
   Dadagapatty,
   Salem.

..Respondent

To issue a Writ of Mandamus, or any other appropriate Writ or Order or Direction, in the nature of writ, directing the 3rd respondent to give police protection for carrying out these damaged works of petitioner residence house situated at Ward 1, Block 1.D. S. Nos. 12,13,14, at Salem East, Dadakapatti Sub District, Salem Town, K. Division, Dadakapatti Village, Tollgate, Melpuram Velupillai Street, forthwith by considering the representation dated 31-8-2026.

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For Petitioner : Mr.P.Ganesan

For Respondents : Mr.Arun Anbumani,
Additional Public Prosecutor For R1 To R3

Mr.T.Dhasarathan for R4

Order

The petitioner and the fourth respondent are the brothers. On account of disputes that arose between the brothers, the fourth respondent is preventing the petitioner from carrying out the repair work in the property under his occupation. Hence, he gave a representation on 31.08.2026 to the respondents to grant protection to carry out the works. As it was not considered, he is before this court.

2. Considering the plea that was raised by the respective parties, I called upon Mr.Arun Anbumani, who appears for the respondents 1 to 3, to serve notice on the fourth respondent through the office of the third respondent. He did so and Mr.T.Dhasarathan has entered appearance for the fourth respondent.

3. Mr.T.Dhasarathan states that the fourth respondent has no objection for the pipelines being laid along the wall and for plastering the wall. However, he urges that such works must not interfere with his right to use the common

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passage that runs between the two buildings. He further claims that such work should not confer any right over the petitioner over the common passage.

4. I have carefully considered the submissions made on all sides. I have gone through the records.

5. The passage between the properties of the petitioner and the fourth respondent is said to be around three feet. The petitioner wants to construct a bathroom and toilet on the first floor. The pipeline running from the first floor is no way going to affect the fourth respondent. The photographs that have been produced by Mr.Dhasarathan also indicates that several pipelines are running along the wall of the petitioner's property.

6. As long as the pipelines do not affect the ingress and egress of the fourth respondent, he cannot object to the pipelines being laid inside the petitioner's property. Accordingly, there shall be a direction to the third respondent to afford protection, in case it is necessary for the petitioner to complete the construction work in his property situated at Ward 1, Block 1.D. S. Nos. 12,13,14, at Salem East, Dadakapatti Sub District, Salem Town, K. Division, Dadakapatti Village, Tollgate, Melpuram Velupillai Street. During the process of construction, the passage must not be obstructed so as to prevent the

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fourth respondent from using the same. The entire construction must be completed within a period of two weeks from the date of its commencement.

7. This writ petition is disposed of in the aforesaid terms.

30-10-2026

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

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V.LAKSHMINARAYANAN J.

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