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WP CrI. No. 988 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR JUSTICE **A.D.JAGADISH CHANDIRA**

WP CrI. No. 988 of 2025

M. Saroja

..Petitioner

Vs

1. The District Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Deputy Superintendent of Police,
Bargur,
Krishnagiri District.
3. The Inspector of Police,
Bargur Police Station,
Bargur,
Krishnagiri District.
4. M. Perumal
5. Yasodha
6. M. Mani
7. Chennammal
8. S. Peruma

..Respondents

Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents No.1 to 3 to consider the petitioner's representation dated 20.09.2025 to give adequate Police protection for the life and limb of the petitioner for entering her property for survey and fencing in agricultural land at S.No.425, Sub Division No.425/1 measuring to an extent of Acre 0.34 Cents and Sub Division S.No.425/2 measuring to an extent of Acre 0.99 cents situated at Mallappadi Village,



Bargur Sub Registration District, Bargur Taluk, Krishnagiri District.

For Petitioner : Mr.S. Muthaiah
For Respondents : Mr.K.M.D.Muhilan,
Additional Public Prosecutor For R1 To R3
Mr.T.S.Baskaran For R4 To R8

ORDER

This Writ Petition (Criminal) has been filed to direct the respondents No.1 to 3 to consider the petitioner's representation dated 20.09.2025 and to give adequate police protection for her life and limb while surveying and fencing her agricultural land situate at S.No.425, Sub Division No.425/1 measuring to an extent of Acre 0.34 Cents and Sub Division S.No.425/2 measuring to an extent of Acre 0.99 cents situated at Mallappadi Village, Bargur Sub Registration District, Bargur Taluk, Krishnagiri District.

2. The case of the petitioner is that she is the owner of the agricultural properties in Survey Nos.425, 425/1 and 425/2 belonging to her father namely late Munusamy, who has executed a registered will in favour of the petitioner and her two sisters by virtue of which they have been in possession and enjoyment of the properties. While so, the petitioner had applied for surveying the property whereas the private respondents prevented the petitioner from surveying the property. Therefore, the petitioner sought police protection and



since the respondent police have not given the police protection, the present Writ Petition (Criminal) has been filed.

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3. Per contra, the learned counsel appearing for the respondents 4 to 8 submitted that the respondents 4 to 8 are the siblings of the petitioner. The respondents 4 to 8 have challenged the alleged will, dated 07.07.2008, in a suit in O.S.No.379 of 2025 on the file of the learned Principal District Judge, Krishnagiri, which is pending. Therefore, he prayed for dismissal of this Writ Petition (Criminal).

4. Learned Additional Public Prosecutor, appearing for the respondents 1 to 3, on instructions, submitted that a dispute exists between the petitioner and the private respondents with regard to the ownership of the subject property and civil suit is also pending between them.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the view that when there is a rival claim by the opposite party, the practice of granting blanket police protection, especially in respect of immovable property without title being established, may lead to serious consequences. In this context, it is apropos to point out that the Hon'ble Apex Court, in **PR.Muralidharan and others Vs. Swami Dharmananda Theertha Padar**, reported in (2006) 4 SCC



501, has held as follows:

"...19.A Writ for "Police Protection "so-called, has only a limited scope, as when the Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order."

6. Accordingly, this Writ Petition (Criminal) stands closed. The petitioner is at liberty to work out the remedy before the civil Court in accordance with law. No costs

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Principal District Judge,
Krishnagiri.
2. The District Superintendent of Police,
Krishnagiri District, Krishnagiri.
3. The Deputy Superintendent of Police
Bargur, Krishnagiri District.
4. The Inspector of Police
Bargur Police Station,
Bargur, Krishnagiri District.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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