



W.P.CRL.(MD)No.284 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.CRL.(MD)No.284 of 2026

D.Sundari Prema

... Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Inspector of Police,
Muthaiyapuram Police Station,
Thoothukudi District.

3. Jevaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to take necessary action against the 3rd respondent and give police protection to survey the petitioner's property in survey number 344/2B1A1 to the extent of 0.18.36 Hactares and 344/2B2 to the extent of 0.20.50 Hectares at Korampallam Part II, Thoothukudi Taluk, Thoothukudi District on the basis of the petitioner's representation dated 27.12.2025, within a time stipulated by this Court.



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For Petitioner : M/s.J.Balameenakshi
For Respondents : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side)
For R3 : Mr.T.S.R.Venkataramana
Senior counsel
For M/s.T.V.Loganayaki

ORDER

Today, the matter is taken up for hearing under the caption for being mentioned at the instance of the learned counsel for the 3rd respondent.

2. After hearing the submissions of the learned counsel for the 3rd respondent, the order dated 21.01.2026 is hereby recalled.

3. The petitioner claims a right over the property in Survey Nos. 344/2B1A1 (measuring 0.18.36 hectares) and 344/2B2 (measuring 0.20.50 hectares) located at Korampallam Part II, Thoothukudi Taluk, Thoothukudi District. The petitioner's sisters, R. Saroja and R. Kasthuri, had previously filed a suit (O.S. No. 34 of 2012) in the Additional District Court, Thoothukudi, for



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partition. The suit was heard and the judgment, dated 21.12.2017, granted the relief sought for. Subsequently, the first defendant in the suit, John Jeevaraj (now the 3rd respondent in this writ petition), filed A.S. No. 184 of 2018, and the appeal was disposed of on 21.02.2020, with the matter being remanded to the trial court for a fresh trial. The 3rd respondent has submitted documents claiming his right over the property based on a gift deed. However, the original plaintiffs have expressed their unwillingness to cross-examine DW1, which led to the dismissal of the suit by the trial court on 11.12.2024. As of now, the suit remains dismissed under the order dated 11.12.2024. Following this, the petitioner filed a petition for the restoration of the suit, which is still pending.

4. The petitioner claims right over the property based on a joint patta, while the third respondent has a gift deed. Therefore, the petitioner cannot claiming right over the property as of now. Hence, the Writ Petition (Criminal) has no merits and is dismissed.



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5. The petitioner is directed to pay a sum of Rs.5,000/-(Five Thousand only)as cost to the credit of the Women Advocates Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai.

24.02.2026

Index : Yes / No
Internet : Yes
NCC : Yes / No

msrm

Note: Issue order copy on 26.02.2026.

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
2. The Inspector of Police,
Muthaiyapuram Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



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S.SRIMATHY, J

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**Order made in
W.P.CRL.(MD)No. 284 of 2026**

24.02.2026