



CrI.O.P.(MD)No.3010 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **13.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CrI.O.P.(MD)No.3010 of 2026

Ramar

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai-625 007.

2.The Deputy Superintendent of Police,
Usilampatti,
Madurai District.

3.The Inspector of Police,
Usilampatti Police Station,
Usilampatti,
Madurai District.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to issue a direction directing the respondents to provide adequate police protection to the petitioner for construction of the house in Old Survey No.252/1, New Survey No.320/14, Ariyapatti Revenue Village, Usilampatti Taluk, Madurai District, considering the representation of the petitioner dated 05.02.2026.

For Petitioner : Mr.M.Divakaran

For R1 to R3 : Mr.B.Thanga Aravindh

Government Advocate (CrI.Side)



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ORDER

This criminal original petition has been filed to direct the respondents to provide adequate police protection to the petitioner for construction of the house in Old Survey No.252/1, New Survey No.320/14, Ariyapatti Revenue Village, Usilampatti Taluk, Madurai District, considering the petitioner's representation dated 05.02.2026.

2. The learned counsel for the petitioner submitted that he is the absolute owner of the Natham land comprised in Old Survey No.252/1, New Survey No. 320/14 to an extent of 0.44 ares with a tiled house situated at Ariyapatti Revenue Village, Usilampatti Taluk, Madurai District, and he purchased the said property from one Veeranan on 26.03.2018 and obtained Natham Land Tax Schemes Patta No.141 and had been continuing in peaceful possession and enjoyment of the same by paying property tax and electricity charges since 2018. However, after the death of his vendor Veeranan, his wife, Kasammal and son, Anbalazhgan are causing continuous disturbance to his peaceful possession and enjoyment. In this regard, a civil suit in O.S.No.37 of 2020 was filed before the District Munsif cum Judicial Magistrate No.I, Usilampatti, for permanent injunction and that was decreed on 17.06.2025 in favour of the petitioner restraining the Kasammal and Anbalazhgan from interfering with the



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peaceful possession and enjoyment of the said property. Even thereafter, they are causing disturbance to the petitioner's peaceful enjoyment. Hence, this petition.

3. The learned Government Advocate (Crl.Side) submitted that one Nithya, who is the grand-daughter of the Veeranan has already filed a writ petition before this Court in WP(MD)No.6 of 2025 seeking to direct the revenue authorities to cancel the patta issued in favour of the petitioner. In this regard, Nithya has given a complaint before the 3rd respondent police and inquiry is pending.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and carefully perused the materials available on record.

5. From the submission of the learned counsel for the petitioner, it is clear that Kasammal and Anbalazhgan, who are none other than the wife and son of the deceased Veeranan, who is the vendor of the petitioner are restrained by the competent civil Court by a civil decree of permanent junction in OS.No. 37 of 2020 dated 17.06.2025. Only to defeat the petitioner from enjoying the



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fruits of the said decree, the said Nithya, one of the legal heirs of Veeranan has given a complaint to the 3rd respondent police.

6. It is also categorically contended by the learned counsel for the petitioner that the Kasammal, Anbalazhgan & Nithya are obstructing the petitioner from renovating the existing house in the said property. In this regard, the third respondent police is directed to give necessary police protection to the petitioner on the payment of necessary fees in terms of G.O. (Ma).No.139, Home (Pol-VIII) Department, dated 04.03.2019 and the third respondent police is directed to provide the required protection on the specified date upon receipt of such payment.

7. If at all the complainant Nithya has any grievance in this regard, the third respondent police may advise the said Nithya to approach the appropriate civil Court to file a suit for declaration over the said property and obtain a civil decree in her favour and thereafter only, the third respondent police could take a final call with respect to the Nitya's claim. It is made clear that when the petitioner's right is protected by a civil decree, it is the bounden duty for the third respondent police to protect his possession.



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8. It is made clear that the 3rd respondent police is directed to protect the petitioner from Kasammal and legal heirs of Veeranan. Before affording police protection, the 3rd respondent police is directed to summon both the parties including Nithya, Kasammal and Anbalazhgan and require them to produce the necessary documents which would substantiate the title and if the petitioner's contention that the civil decree is in his favor is true for protection.

9. With the above directions, this Criminal Original Petition stands disposed of.

13.02.2026

NCC : Yes / No
Index : Yes / No
dss

To:-

- 1.The Superintendent of Police,
Madurai District, Madurai-625 007.
- 2.The Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
Usilampatti Police Station,
Usilampatti, Madurai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

dss

Order made in
Crl.O.P.(MD)No.3010 of 2026

Dated
13.02.2026