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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3014 of 2026

1.Sumathi

2.Vasantha

... Petitioners

Vs

1. The State of Tamilnadu Rep by,  
The Superintendent of Police,  
Pudukottai District.

2.The Inspector of Police,  
Anti Land Grab Wing,  
Pudukottai District.

3.Lalitha

4.Annamalai

... Respondents

PRAYER :-

To direct the 2<sup>nd</sup> Respondent not to interfere with the civil dispute relating to the property in S.No.536/4, Velanoor Village, Kulathoor Taluk, Pudukottai District, by considering the petitioner's representation dated 27.01.2026.

1/6



For Petitioners : Mr.R.Balakrishnan  
Advocate.

For R1 & R2 : Mr.M.Sakthi Kumar  
Government Advocate (Crl.Side)

### **ORDER**

Seeking to direct the second respondent police not to interfere with the civil dispute relating to the property in S.No.536/4, Velanoor Village, Kulathoor Taluk, Pudukottai District, by considering the petitioner's representation dated 27.01.2026, this criminal original petition is filed.

2. The learned counsel for the petitioners submitted that the petitioners purchased a property comprised in S.No.536/4, Velanoor Village, Kulathoor Taluk, Pudukottai District, to an extent of 3 cents and 9 links from one Ramachandran through a registered sale deed dated 27.07.2009. Thereafter, they executed a sale deed in favour of the 3rd and 4th respondents herein on 03.02.2010. After a lapse of 16 years, the 3<sup>rd</sup> and 4<sup>th</sup> respondents with an intention to harass the petitioners, lodged a complaint before the second respondent that the said property was encroached upon by the third party, and the petitioners have to be handed



over the same to them. Hence, the petitioners have sent a representation through post on 27.01.2026 to the second respondent with respect to the above civil dispute prevailing between them and the 3<sup>rd</sup> and 4<sup>th</sup> respondents. However, the second respondent, instead of taking action against the 3<sup>rd</sup> and 4<sup>th</sup> respondents, subjected the petitioners to harassment based on the complaint received from the third respondent, and hence, this petition.

3. A learned Government Advocate (crl.side) submitted that there is no point in harassing the petitioners and proper summon was served on the petitioners requiring them to appear for enquiry. However, without appearing for enquiry and without co-operating with the ongoing enquiry, the petitioners have come before this Court with this petition.

4. Heard either side and carefully perused the materials available on record.

5. Considering the nature of the allegations made by the petitioners as against the 3<sup>rd</sup> and 4<sup>th</sup> respondents, to allay their apprehension with



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respect to the complaint given by them as against the 3rd and 4th respondents, the second respondent-police is directed to issue a fresh written summons/notice under Section 62 Cr.P.C./ 64 BNSS, 2023, to both the parties, specifying the date, time, and purpose of enquiry. Oral or informal summons are prohibited.

(b) The enquiry, if undertaken, shall be completed within two weeks from the date of the petitioners' appearance.

(c) If the police, upon enquiry, conclude that a cognizable offence is made out and propose to register an FIR, the petitioners shall be given prior written notice, enabling him to seek legal remedies including anticipatory bail.

(d) If the dispute is found to be civil in nature, the complaint shall be closed forthwith, without any coercive or intimidatory action.

(e) The respondent police shall refrain from interfering in or attempting to adjudicate private civil rights between the parties.



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6. With the above directions, this Criminal Original Petition is disposed of.

**13.02.2026**

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

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To

1. The Superintendent of Police,  
Pudukottai District.
2. The Inspector of Police,  
Anti Land Grab Wing,  
Pudukottai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**L. VICTORIA GOWRI,J**

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**ORDER**  
**IN**  
**CRL OP(MD) No.3014 of 2026**

**Date : 13.02.2026**