



W.P.Crl.(MD)No.924 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2026

CORAM:

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

W.P.Crl.(MD)No.924 of 2026

Arivazhagan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Palanichettipatti Police Station,
Theni District.

2.Palanivel @ Bhakiyalakshmi

3.Santhana Krishnan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to forbear the 1st respondent from interfering in the peaceful possession of the petitioner's property situated at Survey No. 382/10, Boothipuram Village, Theni Sub Division, Periyakulam, Theni District.

For Petitioner : Mr.V.Malaiyendran

For R1 : Mr.C.Susikumar

Government Advocate (Crl.side)

For R2 & R3 : Mr.S.Vellaichamy



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ORDER

Seeking to forbear the 1st respondent from interfering with the peaceful possession of the petitioner's property at Survey No.382/10, Boothipuram Village, Theni Sub Division, Periyakulam, Theni District, this writ petition is filed.

2. The learned counsel for the petitioner submitted that the land comprised in Survey No.382/10 of Boothipuram village had been in the petitioner and his family's possession since 2021. The Will was executed by one Palanivel on 04.09.2021 in favour of the petitioner and his sons. On which strength, the petitioner had been in possession of the property situated at Survey No.382/10 of Boothipuram village. To validate the said Will, the petitioner had also filed a civil suit in O.S.No.19 of 2026 on the file of Principal District and Sessions Court, Theni and the same is posted for hearing on 27.09.2026. Despite the pendency of the suit, the 3rd respondent is unlawfully interfering with the peaceful possession and enjoyment of the said property by the petitioner. Hence, the petitioner had made an application in this regard to the respondent police on 05.02.2026. In the meanwhile, continuous harassment is also suffered by the petitioner at the hands of the respondents 2 and 3 and they have also intentionally caused encumbrances with respect to the said



property. Since no action has been taken, the petitioner is before this Court.

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3. The learned counsel for the respondents 2 and 3 submitted that the patta of the said lands stands in the name of the 3rd respondent and pursuant to which, the petitioner had attempted to commit suicide by self immolation in a manner so as to intimidate the respondents 2 and 3 from claiming right over the subject property of this petition.

4. The learned Government Advocate(Crl.side) submitted that the complaint is received and the same is pending.

5. In view of the above, the 1st respondent is directed to put the petitioner and the respondents 2 and 3 on notice under Section 64 BNSS and after affording an opportunity of hearing, dispose of the petitioner's complaint within a period of four (4) weeks from the date of receipt of copy of this order. It is made clear that in case of pendency of civil suit with respect to the title and possession of the said property, the 1st respondent is directed to strictly instruct the rival parties to approach the appropriate civil forum for resolving the disputes.



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19.06.2026

NCC : Yes / No

Index : Yes / No

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TO:-

- 1.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
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