



Crl.O.P(MD)No.3816 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.3816 of 2026

Ponnusamy

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi,
Tenkasi District.

2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi District.

3.Subbulakshmi

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 1 and 2 to give police protection for the petitioner's life and limb at the time of constructing a house in the petitioner's property in Survey No.883/27 situated at Subbulapuram, Vayali Village, Sankarankovil Taluk, Tenkasi District within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick



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

ORDER

Seeking to direct the respondents 1 and 2 to give police protection for the petitioner's life and limb at the time of constructing a house in the petitioner's property in Survey No.883/27 situated at Subbulapuram, Vayali Village, Sankarankovil Taluk, Tenkasi District within a time frame fixed by this Court, this criminal original petition is filed.

2. Since no adverse order is passed against the private respondent, notice to the private respondent is dispensed with.

3. With respect to the house situated in Survey No.883/27 situated at Subbulapuram, Vayali Village, Sankarankovil Taluk, Tenkasi District, a suit in O.S.No.6 of 2022 on the file of the Principal District Munsif Court, Sankarankovil has been filed by the 3rd respondent as against the petitioner which was dismissed on 17.04.2025. Having not preferred appeal as against the same, while the



petitioner is making necessary arrangement for construction of a house in the said property, the 3rd respondent is hindering the same. Hence, this petition.

4. The learned Government Advocate(Crl.Side) submitted that considering the civil nature of the dispute involved, it is necessary to look into the title of the rival parties.

5. Heard the learned counsel on either side and carefully perused the materials available and record.

6. Since already a civil suit in O.S.No.6 of 2022 filed by the 3rd respondent as against the petitioner has been dismissed by the judgment and decree, dated 17.04.2025 and the learned counsel for the petitioner contended that no appeal is pending as against the said judgment and decree, there is no bar for the petitioner to put up a construction in the aforementioned survey number. However, since the 3rd respondent is obstructing, the 2nd respondent police is directed to look into the



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representation made by the petitioner after putting the petitioner and the 3rd respondent on notice. The petitioner and the 3rd respondent are directed to appear before the 2nd respondent police and the petitioner shall produce all the necessary title deeds stand in his favour. The 2nd respondent police, on perusing the same, if able to arrive at a conclusion that the petitioner is the exclusive owner in possession and title over the said property, is directed to afford necessary protection for construction in Survey No.883/27 situated at Subbulapuram, Vayali Village, Sankarankovil Taluk, Tenkasi District, on payment of necessary fees in terms of G.O(Ms)No.139, Home (Pol-VIII) Department, dated 04.03.2019.

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

20.02.2026

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

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- To
- 1.The Superintendent of Police,
Tenkasi,
Tenkasi District.
 - 2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tenkasi 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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