



W.P.Crl.(MD)No.1298 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 04.03.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.Crl(MD)No.1298 of 2026

N.Rajendran

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Melur, Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

3.Subramaniya Pillai

... Respondents

PRAYER :-Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 and 2 to take necessary action against the 3rd respondent based on the petitioner's representations dated 27.01.2026 and 19.02.2026 in accordance with law.

For Petitioner : Mr.S.A.Ajmal Khan

For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor

For R3 : Mr.A.V.Arun



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ORDER

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Seeking to direct the respondents 1 and 2 to take necessary action against the 3rd respondent based on the petitioner's representation, dated 27.01.2026 and 19.02.2026, this writ petition is filed.

2. The learned counsel for the petitioner submitted that the property situated at Survey No.2/2, Karuthapuliyanpatti Village, Melur Taluk, Madurai District including a tiled house in Door No.6/7, Natanmaikarar Street and a vacant land to the extent of 9 cents originally belonged to one Subramaniya Pillai, s/o Pandiyanatha Pillai. The petitioner is residing in the said property as a tenant for the past 40 years even during the lifetime of the 3rd respondent's ancestor. While so, the 3rd respondent had approached the petitioner during April 2015 and agreed to sell the said property to the petitioner, for which an advance amount of Rs.5,00,000/- was fixed and a sale consideration was fixed at Rs.9,00,000/-. The petitioner had also given a sale advance amount of Rs. 5,00,000/- to the 3rd respondent on 15.08.2015 and it was agreed between the petitioner and the 3rd respondent that the sale would be completed within a period of four months by payment of the balance amount of Rs.4,00,000/-. An oral agreement was entered on 15.08.2015 and the sale agreement period expired on 15.12.2015. However, the 3rd respondent, without executing a sale



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deed, has kept the matter in abeyance. Hence, the petitioner filed a suit for specific performance in O.S.No.104 of 2019 on the file of the Subordinate Court, Melur against the 3rd respondent. The same was dismissed on 23.04.2025, against which an appeal suit in A.S.No.96 of 2025 on the file of VI Additional District Court, Madurai was filed and the same is pending. In the interregnum, 3rd respondent had demolished the house in the suit property. Hence, the petitioner had made a representation to the 1st and 2nd respondents to take necessary action against the 3rd respondent on 27.01.2026 and 19.02.2026. However, there is no response. Hence, this petition.

3. The learned counsel for the 3rd respondent submitted that the suit filed by the petitioner seeking specific performance of sale in O.S.No.104 of 2019 has already been dismissed on 23.04.2025, against which appeal suit in A.S.No. 96 of 2025 is also pending. Though the petitioner claimed to be in possession of the said property, it is the clear finding of the trial Court in O.S.No.104 of 2019 that the petitioner is not in possession. Since the building in Door No.6/7 has already been demolished and he is residing in his son's house as admitted by him during trial in the said suit, the question of considering the petitioner's representation by the official respondents will not arise and sought for dismissal of this writ petition.



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4. The learned Additional Public Prosecutor submitted tha the case is civil in nature.

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

6. Considering the pendency of appeal suit in A.S.No.96 of 2025 on the file of the VI Additional District Court, Madurai and also the fact that an interim application has also been filed in the appeal suit seeking injunction as against the 3rd respondent, this Court finds it necessary to make it clear that the 1st and 2nd respondents cannot meddle in a civil dispute which is pending before the appellate Court. The petitioner is directed to conduct the pending appeals with due diligence.

7. Accordingly, this Writ Petition is disposed of. No costs.

04.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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- 1.The Deputy Superintendent of Police,
Melur, Madurai District.
- 2.The Inspector of Police,
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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J

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