



WP CRL.(MD). No.1444 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/04/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

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K.Nagoor

... Petitioner

Vs

1. State of Tamil Nadu Rep.
By The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City.

2. The Inspector of Police,
Thiruppalai Police Station,
Madurai City.

3. K.M.Gokulnath

4. K.M.Gowrinath

(R3 and R4 are Impleaded as Per Order
of This Court Dated 25.03.2026.

5. The Tahsildar,
Madurai North Taluk,
Madurai.

(R5 is suo motu impleaded vide Court
Order dated 08.04.2026

... Respondents



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PRAYER :-

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To issue a Writ of Mandamus directing the respondents to take necessary action based on the Petitioner's complaint dated 25.02.2026 within time frame as fixed by this Court.

For Petitioner : Mr. S.Alagusundar,
Advocate

For Respondent : Mr.M.Sakthi Kumar - for R1 and R2
Government Advocate (Crl.Side)

Mr.R.Senthilkumar - for R3 and R4

Mr.M.Muthumanikkam - for R5
Government Advocate Civil Side

ORDER

This Writ Petition is filed seeking Writ of Mandamus to direct the respondents to take necessary action based on the petitioner's complaint at a 25 to 2026.

2. The learned counsel for the petitioner submitted that the property comprised in old Survey No.178/5, new Survey No.37/5 to an extent of 80 cents situated in Thiruppalai Siruthoor Village, Madurai North, Madurai District, originally belonged to the petitioner's



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grandfather Sukuru Thevar and after the demise of the petitioner's grandfather on 14.10.1964, an unregistered partition deed was executed by all his legal heirs, including Ayyayu Thevar, Karanthamalai Thevar(the petitioner's father) and one minor Narayanan represented through his mother Petchiyammal. As per the partition deed, the subject property of the petition was allotted to the petitioner's father, and he had been in peaceful position and enjoyment of the same and had also effected proper mutation of the same in his favour. After the demise of the petitioner's father, he was survived by the petitioner, his brothers, sisters, and mother Annamayil and all of them have entered into a registered partition dated 16.09.2025, in which the subject property was allotted to the petitioner's mother as 'A' schedule, and the petitioner's mother had been in peaceful possession and enjoyment of the property. The revenue officials had also issued patta in favour of the petitioner's mother namely Annamayil in Patta No.1923. On 08.07.2022, the petitioner's mother executed a settlement deed in favour of the petitioner to an extent of 40 cents in the northern side, out of 80 cents and another settlement date with respect to the remaining 40 cents on southern side, in favour of the petitioner's brother and the petitioner had been in



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possession and enjoyment of the same and he has also perfected his title by effecting mutation. While so on 19.02.2026 at about 3:30 PM, one Murugesan, his sons Gokulnath and Gowrinath, his wife Annakodi, Kavitha, Jeya, Senthil, Vignesh, Paramasivam and Rajangam, Srithar and few others illegally trespassed into the petitioner's property and damaged the fencing by using JCB bearing number TN registration number TN 59 CQ 7782. In this regard, a complaint has been lodged before the respondent police on 25.02.2026. However, there is no progress in the same. Hence, this Writ Petition.

3. The learned counsel for the 3rd respondent, based on the counter affidavit categorically contended that the 3rd and 4th respondents are the actual title owners of the property and in possession of the subject property and they have already given complaint on 19.02.2020 to the respondent police with respect to the encroachment made by the petitioner and CSR No.65 of 2026 was also issued. She also pointed out that already the 3rd respondent had filed a civil suit in O.S.No.49 of 2019 on the file of the I Additional District Judge, Madurai, as against this petitioner and the same is also pending.



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4. The learned Government Advocate submitted that already the petitioner's brother one Murugesan and the 3rd respondent have given a complaint and counter complaint as against each other in which both the parties battled and they have appeared before the respondent police for enquiry where the 3rd respondent had submitted that the petitioner and his brother together had created a false document with respect to the subject property and disputed the title as claimed by the petitioner herein. In this regard, since there are disputed questions of title involved between the rival parties, the respective complaints have been forwarded by the third respondent police to the Tahsildar to the Tahsildar to seeking a report on the title of the subject property and the same is awaited.

5. Heard either sides and carefully perused the materials available in record. Since the enquiry has already been commenced, the Tahsildar Madurai North Taluk, Madurai, is *suo motu* impleaded as 5th respondent. Mr. Muthu Manikkam, learned Government Advocate (Civil side) takes notice for the 5th respondent.



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6. The 5th respondent is directed to conclude the enquiry and send a report to the second respondent police within a period of 2 weeks from the date of receipt of a copy of this order and on receipt of the said report, the second respondent is directed to conclude the enquiry within a period of two weeks thereafter.

7. With the above direction, this Writ Petition is disposed of. No costs.

08.04.2026

NCC : yes / no
Index : yes / no

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To
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1. The Commissioner of Police, Office of the Commissioner of Police, Madurai City.
2. The Inspector of Police, Thiruppalai Police Station, Madurai City.
3. The Tahsildar, Madurai North Taluk, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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