



WP CRL.(MD). No.1469 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/04/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

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M.Karuppanan

... Petitioner

Vs

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

2. The State of Tamilnadu,
The Inspector of Police,
Othakkadai Police Station,
Madurai District.

3. Senthil

4. Balamurugan

5. Karthick

... Respondents

PRAYER :-

To issue a Writ of Mandamus, or Order or any other appropriate Writ in the similar nature issuing direction, directing the 1st and 2nd Respondents to consider petitioner representation /complaint dated 05.11.2025 and within a time stipulated by this Court.



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For Petitioner : Mr.P.M.Vishnu Varthanan.,
Advocate.

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

Mr.M.P.Senthil for R3 to R5

ORDER

Seeking to direct respondent to take action and consider the petitioner's representation / complaint dated 05.11.2025, this writ petition is filed.

2. The learned counsel for the petitioner submitted that he resides with his family. The petitioner is the lawful owner of the property situated at Rajagambiram village, Madurai East Taluk, comprised in old survey number 13/20 and new survey Nos: 20/1A, 20/1B, 20/3 and 20/2. Learned counsel for the petitioner pointed out that the property is a Trust property and the same was maintained by the petitioner's ancestors from the year 1959. He also submitted that a civil suit in OS No. 155 of 2015 on the file of the learned District Musif Court, Madurai, has been filed by the petitioner as against the respondents 3 and 5 herein, seeking to set

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aside the sale deed of the year 1986 and to declare the same as null and void and also for permanent injunction. Pending the same, the private respondents have taken the law into their hands and have forcibly encroached upon the property, had trespassed into the property and had committed serious damage by demolishing the existing structures and fences. In this regard, the petitioner had lodged a complaint on 05.11.2025 and 06.11.2025 to the second respondent. The second respondent refused to take the same on file and hence subsequent representation was sent to the first respondent and the same was acknowledged on 11.11.2025 and 13.11.2025. Even thereafter, no action has been taken and hence this petition.

3. The learned counsel appearing for the respondents 3 to 5 categorically contended that the property exclusively belonged to the respondents 3 to 5, and they are in possession of the said property. The petitioner managed to file a civil suit in the year 2016 to set aside a sale deed of the year 1986 after a lapse of almost 30 years. However, he never succeeded to obtain an order of temporary injunction in the pending civil suit. Only to circumvent the circumstances which had



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arisen and due to his failure in obtaining a temporary injunction, he has filed this writ petition and the same is not maintainable.

4. The learned Government Advocate Mr. M. Sakthi Kumar submitted that it is not correct that the complaint received from the petitioner has not at all been enquired. The parties were duly required to appear before the respondent police and were enquired and the petitioner, on appearance before the respondent police on 21.11.2025, had given in writing that he would abide by the final outcome of the pending civil suit in O.S.No.155 of 2016 on the file of the District Munisif Court, Madurai. Recording the same, the said complaint has already been closed.

5. Heard either sides and carefully perused the materials available on record.

6. It is seen that an enquiry has been duly conducted by the respondent police and both the petitioner and the private respondents were also put on notice and they have appeared and had given their respective statements before the second respondent police, on the basis



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of which, the enquiry has already been closed.

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7. Recording the above, this writ petition is disposed of, giving liberty to the petitioner to file a private complaint before the appropriate forum, if so advised. No costs.

08.04.2026

NCC : yes / no

Index : yes / no

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To

1. The Superintendent of Police, Madurai District. Madurai.
2. The Inspector of Police, Othakkadai Police Station, Madurai 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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