



W.P.Crl.(MD)No.1548 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 23.03.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.Crl(MD)No.1548 of 2026

Ramalingam

... Petitioner

Vs.

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

2.The Inspector of Police,
Surandai Police Station,
Surandai,
Veerakeralampudur Taluk,
Tenkasi District.

... Respondents

PRAYER :-Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent herein to consider and dispose the petitioner's complaint dated 31.01.2026 within a period that may be stipulated by this Court.

For Petitioner : M/s.C.R.Ponnuthai

For Respondents : Mr.M.Sakthi Kumar
Government Advocate(Criminal Side)



W.P.Crl.(MD)No.1548 of 2026

ORDER

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Seeking to direct the 2nd respondent to consider and dispose the petitioner's complaint dated 31.01.2026, this writ petition is filed.

2. The learned counsel for the petitioner submitted that the petitioner had purchased the land comprised in Survey No.341/1 measuring an extent of 1 acre 8 cents vide sale deed dated 07.09.2020 bearing Document No.3166/2020 and that the petitioner is the absolute owner in possession and title over the same. He had also perfected his title by effecting mutation and the patta has also been issued in his name bearing Patta No.6870. While so, one Arichandran had interfered with the peaceful possession and enjoyment of the said property while conducting survey and hence, the petitioner had lodged a complaint before the 3rd respondent police on 18.01.2025, for which C.S.R.No.1223 of 2025 was issued. However, no action was taken against the proposed accused. Hence, the petitioner filed a writ petition in W.P(MD)No.25633 of 2023 seeking permission for surveying the petitioner's land and fix the boundary with police protection and the same was allowed on 26.09.2024. Pursuant to which, the said land was measured and the boundaries were also fixed by the Surveyor with police protection on 27.01.2026. Immediately, the petitioner had also put up a stone wire fence in his land incurring an expenditure to a tune of Rs.



W.P.Crl.(MD)No.1548 of 2026

1,81,500. However, on 29.01.2026 at about 3.30 a.m it is informed that certain persons have removed the barbed wire fences which has been put up by the petitioner. When the petitioner had rushed to the destination, the accused persons and henchmen were digging up the stones and barbed wire fences planted by the petitioner. Hence, he lodged a complaint on 31.01.2026 before the 2nd respondent police, for which C.S.R.90 of 2026 was issued and no action taken. Hence, this writ petition.

3. The learned Government Advocate(Crl.side) submitted that this is the case and case in counter and the proposed accused had filed a civil suit in O.S.No.413 of 2023 on the file of the Principal Sub Court No.IV, Tenkasi against the petitioner and others and the same is pending.

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

5. The learned counsel for the petitioner categorically contended that O.S.No.413 of 2025 on the file of the Principal Sub Court No.IV, Tenkasi has nothing to do with the subject property of this petition and the said civil case is with respect to some other property. Hence, pendency of the said case will not



W.P.Crl.(MD)No.1548 of 2026

absolve the petitioner's right to put up any fence. It is for the police to assess the damage and register an appropriate criminal case as against the persons who have removed the barbed wires. However, the learned Government Advocate (Crl.side) drew my attention to the order passed by this Court in W.P(MD)No. 25633 of 2023, dated 26.09.2024, in which this Court had clearly passed an order that the petitioner should not put up any fencing till the disposal of O.S.No.413 of 2023.

6. A careful perusal of the said order would make it clear that the lands which was required to be surveyed by the petitioner by filing the aforesaid petition would also include Survey No.341/1B. In view of the same, this writ petition is disposed of, directing the petitioner to work out his remedy before the appropriate Civil Court. No costs.

23.03.2026

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

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To

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

4/6



W.P.Crl.(MD)No.1548 of 2026

WEB COPY

- 2.The Inspector of Police,
Surandai Police Station,
Surandai,
Veerakeralampudur Taluk,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.Crl.(MD)No.1548 of 2026

L.VICTORIA GOWRI,J

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W.P.Crl(MD)No.1548 of 2026

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