



W.P.Crl.(MD)No.1862 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **06.04.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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P.Ponnuchamy

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by the Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. State of Tamil Nadu,
Rep. by the Inspector of Police,
Sanarpatti Police Station,
Sanarpatti, Dindigul District.
3. Kumarasamy
4. Maruthanayagam
5. Nagoor Kani
6. M.P.Maragatham
7. The Tahsildar,
Sanarpatti Taluk,
Dindigul East,
Dindigul District.

... Respondents

(R7 is suo motu impleaded vide order of this Court dated 06.04.2026 in this petition.)



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No.1 and 2 herein to give necessary Police Protection to the life and limb of the Petitioner and his property comprised in old S.No. 141, New S.No. 775/7 situated at Marunoorthu Village, Dindigul East Taluk, Dindigul District, by considering the representation of the petitioner dated 25.02.2026 and 22.03.2026 within the time stipulated by this Court.

For Petitioner : Mr.K.Seemaraj
For Respondents : Mr.M.Sakthi Kumar (R1 & R2)
Government Advocate (Crl.)
Mr.M.Muthumanickkam (R7)
Government Advocate (Civil)

ORDER

This petition has been filed seeking for a direction to the respondents 1 and 2 herein to give necessary police protection to the life and limb of the petitioner and his property comprised in old S.No. 141, New S.No. 775/7 situated at Marunoorthu Village, Dindigul East Taluk, Dindigul District, by considering the representations of the petitioner dated 25.02.2026 and 22.03.2026 within the time stipulated by this Court.



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2. The learned counsel appearing for the petitioner submitted that the private respondents are interfering with the petitioner's peaceful enjoyment and possession of the property mentioned supra, which exclusively belongs to the petitioner. In this regard, a complaint has already been lodged, and representations have also been sent twice to the respondent police. However, no action was taken and hence, the present writ petition has been filed.

3. The learned Government Advocate appearing for the respondent police submitted that the petitioner had constructed a house and that his neighbours were causing hindrance. An enquiry was conducted, and the case was closed by advising the parties to approach the appropriate civil forum.

4. Heard the learned counsel on either sides and carefully perused the materials available on record. Since no adverse order is proposed to be passed against the private respondents, notice to them is dispensed with.

5. It is seen that, considering the civil nature of the dispute involved, the respondent police had already taken a final decision after conducting a proper



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enquiry and closed the complaint by advising the parties to approach the competent civil court for appropriate remedies.

6. However, the learned counsel appearing for the petitioner submitted that the entire property, measuring an extent of 2856 square feet in Old S.No. 141, New S.No. 775/7, situated at Marunoorthu Village, Dindigul East Taluk, Dindigul District, exclusively belongs to the petitioner. It was further submitted that, taking advantage of the petitioner's absence while he was out of station, the private respondents and others had forcibly entered the petitioner's patta land, encroached upon the same, and put up a foundation structure. Upon his return, when the petitioner attempted to remove the encroachment, the private respondents allegedly threatened him with dire consequences. However, despite receipt of representations in this regard, the respondent police have not provided the necessary protection to enable the petitioner to remove the unauthorized construction put up by the private respondents.

7. Considering the nature of the construction claimed to have been put up by the private respondents, this Court finds it necessary that a proper survey be conducted. Accordingly, the petitioner is directed to submit an application before the jurisdictional Tahsildar, Sanarpatti Taluk, Dindigul East, Dindigul



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District, who is suo motu impleaded as the 7th respondent, for whom

Mr. M. Muthumanickam, learned Government Advocate, takes notice. Upon receipt of such application, the 7th respondent is directed to conduct a survey. If, upon such survey, it is found that the construction is situated within the petitioner's patta land, as claimed by the petitioner, the second respondent police shall provide appropriate police protection, on payment of necessary charges in terms of GO.Ms.No.139, Home (Pol-VIII) Department, dated 04.03.2019 for the purpose of removal of the unauthorized construction.

8. The Writ Petition is disposed of with the following directions:-

(I) The petitioner is directed to submit their application in on-line mode. The survey authority will scrutinize if the application submitted by the petitioner is in order.

(II) The petitioner will have to enclose all the relevant documents such as patta.

(III) The survey authority will issue notice to the writ petitioner, as well as the adjacent land owners and also to the interested persons, if any, including the private respondents.

(IV) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.

(V) If according to the jurisdictional authority, the objections



are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objectors can move the concerned Court for injunction. If before the proposed date of survey, the objectors are unable to obtain any injunction order, the survey can very well go on.

(VI) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

(VII) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicants to move the jurisdictional civil Court for agitating their rights.

(VIII) The instant case is filed particularly seeking police protection for the conduct of survey. In this regard, if required, the respondent police is directed to afford necessary police protection on payment of necessary charges in terms of GO.Ms.No.139, Home (Pol-VIII) Department, dated 04.03.2019.

(IX) The survey authority will conclude the entire exercise one way or the other within a period of six weeks after service of notice



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on the interested persons.

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(X) A copy of the survey report along with sketch will be

served on the parties.

06.04.2026

NCC : Yes / No

Index : Yes / No

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TO:-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
Sanarpatti Police Station,
Sanarpatti, Dindigul District.
3. The Tahsildar, Sanarpatti Taluk,
Dindigul East, Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.Crl.(MD)No.1862 of 2026

Dated
06.04.2026