



W.P.Crl.(MD) No.3184 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.Crl.(MD).No.3184 of 2026

C.Mariyayi

....Petitioner

Vs

1.The Superintendent of Police,
Rajagopalapuram,
Pudukkottai District.

2.The Inspector of Police,
Mathoor Police Station,
Pudukkottai District.

3.M.Paulraj

.....Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondent No.1 and 2 to provide adequate police protection to enable the removal of the unauthorised construction built by the 3rd respondent in the petitioner's property and to ensure protection to the life and limb of the petitioner and his family members from any threat or interference at the hands of the 3rd respondent based on the petitioner's representation dated 09.04.2026.



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For Petitioner : Mr.Mr.M.Manoj Kumar

For R-1 & R-2 : Mr.S.Arun Arockiasamy
Government Advocate(Crl.Side)

ORDER

Seeking to direct the respondents Nos. 1 and 2 to provide adequate police protection to enable the removal of the unauthorised construction built by the 3rd respondent in the petitioner's property and to ensure protection to the life and limb of the petitioner and his family members from any threat or interference at the hands of the 3rd respondent, considering the petitioner's representation dated 09.04.2026, this writ petition is filed.

2. It is a plight of the learned counsel for the petitioner that the property comprised in survey No.465/12C, extend in 7 ares situated in Suriyur village, Viralimalai Taluk, Pudukkottai district, exclusively belongs to the petitioner. However, the 3rd respondent had encroached about the same and had put up a big construction on it. Hence, the petitioner had filed a writ petition in W.P.(MD)No.1323 of 2026 for the conduct of a survey and demarcation of the boundaries and by an order dated 21.01.2026, this Court directed the



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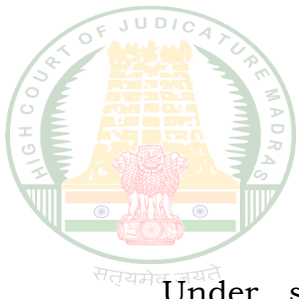
respondents therein to consider the petitioner's online application for the survey and demarcation of the petitioner's land only after considering the claims of all the parties.

3. The learned Government Advocate submitted that after considering the rival submissions and objections raised by the 3rd respondent, the survey was not at all conducted, and the parties were directed to approach the appropriate civil Court.

4. Per contra, the learned counsel for the petitioner submitted that a proper survey was already conducted by the revenue authorities.

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

6. The nature of the alleged encroachment and the nature of the building which has been put up by the 3rd respondent are pretty old, even before several years, and it seems to be an old building.



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Under such circumstances, any standing structure, including buildings, could be removed only in accordance with law.

7. In this matter it is the considered opinion of this court that the petitioner should approach the appropriate civil Court by filing a suit for mandatory injunction.

8. Giving liberty to the petitioner to approach the appropriate Civil Court, this writ petition is disposed of.

19.06.2026

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

To

- 1.The Superintendent of Police,
Rajagopalapuram,
Pudukkottai District.
- 2.The Inspector of Police,
Mathoor Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sml

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