



WP CRL.(MD). No.2626 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19/01/2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP CRL.(MD). No.2626 of 2025

S.Beulaja Manikandan,

... Petitioner

Vs

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

2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

3. Merlin Ranjith Kumar @ Melbin Sajin Kumar

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant adequate police protection for demolition of the semi constructed building of the House Plot to an extent of 6.90 cents comprised in Survey No.604/10 and for the construction of new fencing



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or compound wall to ensure safety and security of the plot in Survey Nos. 603/15, 604/8, 604/9, 604/10, 604/12, 604/13, 604/14 and 604/17C and 604/17G and 604/17H situated at Pacode-B Village, Vilavancode Taluk, Kanyakumari District, based on the representations of the petitioner dated 05.12.2025 and in terms of the Final Decree dated 15.03.2024 passed by this Court.

For Petitioner : P.Praveenkumar,
For R1 and R2 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed seeking direction to the respondents 1 and 2 to grant adequate police protection for demolition of the semi constructed building of the House Plot to an extent of 6.90 cents comprised in Survey No.604/10 and for the construction of new fencing or compound wall to ensure safety and security of the plot in Survey Nos. 603/15, 604/8, 604/9, 604/10, 604/12, 604/13, 604/14 and 604/17C and 604/17G and 604/17H situated at Pacode-B Village, Vilavancode Taluk, Kanyakumari District, based on the representations of the petitioner dated 05.12.2025 and in terms of the Final Decree dated 15.03.2024 passed by this Court.



3. However, before the partition suit, the petitioner's brother has entered into a sale agreement with the third respondent relating to the survey No.604/10. In the partition suit, the same has not been allotted to the petitioner's brother. Therefore, the said sale agreement entered into in favour of the third respondent cannot be executed at all, as the same was not allotted to the petitioner's brother. Therefore, the said sale agreement is illegal agreement, it becomes un-implementable agreement.



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4. The third respondent is claiming right over the property, based upon the said illegal agreement. Therefore, the third respondent has no right to prevent the petitioner from fencing the property. Therefore, the second respondent is directed to provide police protection to fence the property and also register the case, based upon the petitioner's complaint and proceed further as per law.

5. With the above directions, this Writ Petition is disposed of. No Costs.

19.01.2026

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TO

1. The Superintendent of Police,,
Kanyakumari,
Kanyakumari District..
2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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S.SRIMATHY,J

TTA

**ORDER
IN
WP CRL.(MD) No.2626 of 2025**



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Date : 19/01/2026