



WP CRL.(MD). No.2661 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.02.2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

W.P.CRL.(MD). No.2661 of 2025

S.Dhayalarajan

... Petitioner

Vs.

1.The Superintendent of Police,
Superintendent of Police Office,
Dindigul District.

2.The Sub-Inspector of Police,
Eriyodu Police Station,
Dindigul District.

3.M.Selvavadivel

4.S.Kalaiselvi

5.The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

*(R5 is suo motu impleaded vide
Court order dated 18.02.2026 in
W.P.CRL.(MD).No.2661 of 2025)*

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd



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respondents to take appropriate action against 3rd and 4th respondents by considering petitioner's representation dated 11.12.2025 in the light of the dictum laid down by the Honourable Supreme Court of India in ***Lalita Kumari vs. Government of Uttar Pradesh & Ors*** reported in ***(2014) 2 SCC 1***, within the time frame fixed by this Court.

For Petitioner	:	Mr.S.Harish
For R1 & R2	:	Mr.A.S.Abul Kalaam Azad, Government Advocate (Criminal Side)
For R2 & R4	:	Mr.G.Gomathi Sankar
For R5	:	Mr.M.Muthumanikkam, Government Advocate

ORDER

The present Criminal Writ Petition has been filed seeking issuance of a Writ of Mandamus directing respondents 1 and 2 to take appropriate action against respondents 3 and 4 by considering the petitioner's representation dated 11.12.2025, in the light of the dictum laid down by the Hon'ble Supreme Court of India in ***Lalita Kumari vs. Government of Uttar Pradesh & Ors.*** reported in ***(2014) 2 SCC 1***.



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2. The Tahsildar, Vedasanthur Taluk, Dindigul District, is *suo motu* impleaded as the fifth respondent.

3. It is admitted that the petitioner has filed a suit for partition in O.S. No.225 of 2023 on the file of the Sub-Court, Vedasanthur. It is also brought to the notice of this Court that respondents 3 and 4 have filed a suit for recovery of possession. The pendency of these suits clearly indicates that there exists a civil dispute between the parties with regard to the subject property. Though the petitioner claims to be in possession of the entire disputed property, when a partition suit is pending, the petitioner cannot claim exclusive right over the entire extent. However, the petitioner is entitled to seek survey of the property in accordance with law.

4. Accordingly, the fifth respondent is directed to conduct a survey of the property, after issuing notice to all concerned parties including the rival claimants, and, if necessary, with police protection to ensure maintenance of law and order. It is made clear that the conduct of such survey shall not result in dispossession of any party.



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5. With the above clarification and directions, this Writ Petition

Criminal stands disposed of. There shall be no order as to costs.

18.02.2026
(SSYJ)

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To

- 1.The Superintendent of Police,
Superintendent of Police Office,
Dindigul District.
- 2.The Sub-Inspector of Police,
Eriyodu Police Station,
Dindigul District.



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S.SRIMATHY,J.

pal

ORDER
IN
WP.CRL.(MD) No.2661 of 2025

Date: 18.02.2026