

Kamalam Vs State Rep. by

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Court : Chennai

Decided On : Mar-30-2026

Judge : Honourable Mr Justice M. Nirmal Kumar

Appeal No. : WP Crl./659/2026

Appellant : Kamalam

Respondent : State Rep. by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR Kamalam W/o.
Ponnusamy, No.76, RVL Nagar, Uppilipalayam, Coimbatore District-641
015. ..Petitioner(s) Vs

1. State Rep. by The Commissioner of Police,
2. State Rep. by The Inspector of Police, E-2, Peelamedu Police Station,
3. Radhakrishnan

S/o. Raman Nayar, No.7A/13, Kondasamy Layout, Uppilipalayam Village, Peelamedu, Coimbatore District. ..Respondent(s) Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd Respondent to give adequate police protection and to take appropriate action against the 3rd Respondent and his men for trespassing and causing damages to the properties worth about Rs.3,50,000/- by considering the Petitioners Representation dated 06-03-2026 and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case and thus render justice.

Page1 of 6 For Petitioner(s): M.Vijaya Ragavan For Respondent(s): M/S. LEONARD ARUL JOSEPH SELVAM ADDITIONAL PP for R1 & R2

ORDER

The petitioner had filed this petition seeking a direction to the 2nd Respondent to give adequate police protection and to take appropriate action against the 3rd Respondent and his men from trespassing and causing damages to the properties worth about Rs.3,50,000/- by considering the Petitioners Representation dated 06-03-2026.

2. The petitioner is a 79 year old lady. The learned counsel for the

petitioner submits that on 12.07.1948, the petitioners father had partitioned the property and settled the property in favour of the petitioner by way of a partition deed in Doc.No.2575/1948 dated 12.07.1948 and a compromise was entered into between the legal heirs. Based on the compromise, on 27.10.2017 orders have been passed in I.A.No.319/2005 in O.S.No.1069 of 1997, by the Principal Sub-Judge, Coimbatore. On 03.01.2018, the same is registered in Doc.No.16/2018 before SRO Ganapathy.

3. As per the declaration of the Court, C Schedule property was given to one Janaki, petitioners sister, who had settled 1/3rd to the petitioner as per Doc.No.6726/2022. Since the petitioner is an aged lady, she had given Power of Attorney to the third respondent through General Power Deed registered vide Doc.No.323/BK4/1997 and the same was cancelled on 31.12.2015 vide Doc.No.7987/2015. Later, it came to know that despite the cancellation of Power of Attorney and which was also known to the third respondent, on 14.01.2016, the third respondent had executed a sale deed in Document No.211 of 2016 favouring his daughter-in-law, Jessica, for which the petitioners brothers son Vinoth Kumar had filed a Writ Petition in W.P.No.18039/2016 to cancel the said sale deed as it was created by using forged document. The SRO, Ganapathy, in Na.Ka.No.384/2016 had caused for enquiry and after enquiry, the disputed Document No.211/2016 was cancelled and a complaint was lodged against the third respondent and he was warned not to indulge in these kind of activities and not to enter or disrupt the peaceful possession of the petitioner.

4. On 06.02.2026, one Matheshwaran and Gunasekaran have produced a sale agreement in Doc.No.1037/2026 as though the third respondent had executed the same. Thereafter, the third respondent along with 10 goondas, visited the property of the petitioner and threatened her. Hence, the petitioner had given a representation dated 06.03.2026, to the respondent police seeking police protection and to take action against the third respondent. In the absence of any response from the respondents so far, the present petition has been filed by the petitioner.

5. The learned Additional Public Prosecutor produced a report of the second respondent dated 21.03.2026 and the same is scanned and reproduced

hereunder: Page4 of 6

6. The learned Additional Public Prosecutor further submitted that the petitioners peaceful possession and enjoyment of the property will not be disturbed by the third respondent or any person without any valid reason or

order of this Court.

7. At this stage, the learned counsel for the petitioner produced the order

of this Court in W.P.No.39206/2025 dated 02.12.2025, wherein this Court had directed the rival claimants, if any, to approach the Civil Court and not to take the law into their own hands.

8. It is not in dispute that the petitioner is in possession and enjoyment of the property. However, it is always open to the petitioner to approach the Civil Court with regard to the entitlement of the property.

9. In view of the above observations, this Writ Petition is disposed. 30-03-2026
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No BKN Page5 of 6

M.NIRMAL KUMAR, J.

BKN To:

1. The Commissioner of Police,
2. The Inspector of Police, E-2, Peelamedu Police Station,
3. The Public Prosecutor Madras High Court. 30-03-2026 Page6 of 6

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