



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P.[MD].No.20485 of 2018

K.P.Sakthivel

: Petitioner

Vs.

1.The Revenue Divisional Officer  
Tiruchendur Sub Division,  
Thoothukudi District.

2.The Executive Officer  
Udangudi Selection Grade Town Panchayat  
Thoothukudi District.

3.The Inspector of Police  
Kulasekarapattinam Police Station  
Thoothukudi District.

: Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to accord adequate police protection to the second respondent while enforcing the order passed by the first respondent vide his proceedings in Na.Ka.No.m5 / 1396 /2018 dated 14/09/2018.

For Petitioner : Mr.R.Anand

For R-1 and R-3 : Mr.B.Bhagawathi  
Government AdvocateFor R-2 : R.Muruganantham  
Additional Government Pleader**ORDER**

This writ petition has been filed for a direction to the third respondent police to provide police protection in order to enforce the order passed by the first respondent in his proceedings dated 14.09.2018.

2.The learned counsel for the petitioner would submit that a Neem Tree affected the ingress and egress to the house of the petitioner, since it had grown to the extent of blocking the very pathway itself. Therefore, the petitioner had made a representation to the concerned official. Pursuant to the same, the first respondent passed an order, dated 14.09.2018, wherein he has



directed the second respondent to remove the obstruction, in exercise of his powers under Section 133 (d) of Cr.P.C..

3. Subsequently, the second respondent took efforts to cut the tree. But, however, the same was resisted by certain miscreants. As a result of which the second respondent was not able to carry out with the orders of the first respondent.

4. The learned Government Advocate would submit that there is already an order passed by the first respondent and the same has to be enforced by the second respondent.

5. In the facts and circumstances of the case, the third respondent is directed to give adequate police protection to the second respondent in order to enforce the order passed by the first respondent, in his proceedings, dated 14.09.2018.

6. The writ petition stands disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Revenue Divisional Officer  
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+1CC to Mr. R. Anand, Advocate, SR.No.87710

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LS

ES/SV/SAR 1/28.09.2018/2P/5C