



WEB COPY

W.P.(MD)No.9744 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9744 of 2020

and

W.M.P. (MD)No.8754 of 2020

S.Muthukumar

... Petitioner

Vs.

- 1.The District Collector,
Nagercoil,
Kanyakumari District.
- 2.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 3.The Revenue Divisional Officer,
Padmanabhapuram,
Thakkalai Taluk,
Kanyakumari District.
- 4.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.
- 5.The Inspector of Police,
Vellimalai Police Station,
Kanyakumari District.
- 6.Saravana

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from causing any damage or hindrance to the Plantain tree cultivation in the petitioner's land comprising in S.Nos.6/4, 4/2, 9/3, 14/1, 18/7, 13/4, 13/5, 3/6, 6/16, 5/3 Vallimalai Village, Kalkulam Taluk, Kanyakumari District admeasuring 6.5 Acres.

For Petitioner	: Mr.C.K.M.Appaji
For Respondents	: Mr.M.Rajarajan,
	Addl. Govt. Pleader for R1 to R5
	Dispensed with for R6



O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 5. Considering the nature of relief to be granted, notice to the sixth respondent is dispensed with.

2.The petitioner's allegation is that the sixth respondent has formed an association and is forcing the petitioner to discontinue plantain cultivation. This Court posed a specific question to the petitioner as to whether the land in question belongs to the petitioner or is a poramboke. The petitioner's counsel clearly states that the land in question is very much a patta land. If that be so, it is open to the petitioner to engage in whatever cultivation, he deems fit. The petitioner alleges that the sixth respondent has formed an association and they are trying to commit trespass. If that be so, it is definitely a matter in which the police will have to interfere. The petitioner has already given a representation before the second respondent. The second respondent will look into it and ensure that the jurisdictional police will take action as per law.

3.With this direction to the second respondent, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ias

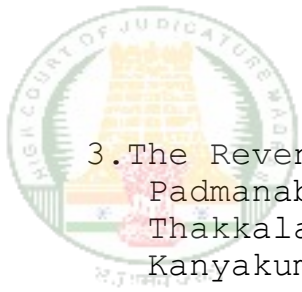
Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Revenue Divisional Officer,
Padmanabhapuram,
Thakkalai Taluk,
Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.

5.The Inspector of Police,
Vellimalai Police Station,
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VB (21.08.2020) 3P 6C