



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD) No.11286 of 2020

WEB COPY

1.Parimala

2.Uma

... Petitioners

Vs

1.The Superintendent of Police,
Pudukottai,
Pudukottai District.

2.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

3.The Sub Inspector of Police,
Ragunathapuram Police Station,
Pudukottai District.

4.Kamaraj

5.Ravi

6.Thirupathi

7.Murugesan

... Respondents

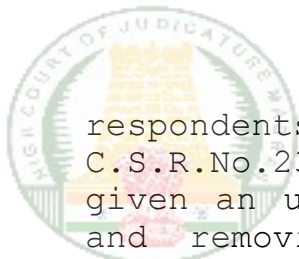
PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the third respondent to provide adequate police protection to cut down the eucalyptus trees planted in S.No.193/4, Vaadanviduthi Village, Karambakudi Taluk, Pudukottai District and life and limb of the petitioners based on the petitioner's representation dated 05.10.2020.

For Petitioners	:	Mr.S.Poornachandran
For Respondents	:	Mr.V.Neelakandan
R1 to R3		Additional Public Prosecutor

ORDER

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for R1 to R3.

2.The petitioner's counsel states that in the petition mentioned land, they had grown eucalyptus trees and they wanted to cut and remove the same. They faced opposition from the private



respondents. Therefore, they had given a complaint on 23.09.2020. C.S.R.No.238 of 2020 was issued and the private respondents had given an undertaking not to interfere with the petitioners cutting and removing the trees. When the petitioners resumed their operations, once again, the private respondents interfered with the petitioner's activities. Therefore, the petitioners have given one more complaint dated 05.20.2020.

3.When the matter was taken up for hearing, the learned Additional Public Prosecutor made a statement that the dispute appears to be civil in nature.

4.I am not in a position to appreciate this stand taken by the third respondent. The question of there being a civil dispute will arise, only if they have semblance of right or title over the land in question. The third respondent cannot mechanically show the door to the petitioners herein. The petitioners have enclosed the copy of the order at Page No.17 in the typed set of papers.

5.The third respondent is, therefore, directed to enquire into the petitioner's complaint and if any cognizable offence is made out, the third respondent is obliged to register an FIR against the accused persons. Of-course, if no cognizable offence is made out, enquiry will be conducted and closed within a period of two weeks and the closure report will be served on the petitioner, so that, the petitioners can avail their remedy in the manner known to law.

6.This Criminal Original Petition is disposed of with the aforesaid direction.

Sd/-

Assistant Registrar (CrI.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

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 Superintendent of Police,
Pudukottai,
Pudukottai District.

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



2.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

3.The Sub Inspector of Police,
Ragunathapuram Police Station,
Pudukottai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.11286 of 2020

SGS (CO)
AP(21/10/2020) 3P 5C