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W.P.(MD)NO.19474 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.19474 of 2015 AND
M.P.(MD)No.1 of 2015

V.Irullan

... Petitioner

Vs.

1. The Inspector of Police,
Manamadurai police station,
Manamadurai,
Sivagangai District.
2. The Tahsildar,
Manamadurai Taluk,
Manamadurai,
Sivagangai District.
3. The Land Surveyor,
Manamadurai Tahsildar Office,
Manamadurai Taluk,
Manamadurai,
Sivagangai District.
4. M.Kollidam
5. M.Krishnan
6. M.Katturaja
7. The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct



the first respondent to consider the representation of the petitioner dated 10.10.2015 based on this Court direction in W.P.(MD)No.14128 of 2014 dated 27.08.2015 and cut the trees at the disputed land till disposal of the petitioner's representation.

For Petitioner : Mr.Herold Singh
For R-1 to R-3 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-4 : Mr.F.Deepak

* * *

ORDER

Heard the learned counsel on either side.

2. The private respondents herein filed W.P.No.14128 of 2014 seeking police protection for removing the Karuvella trees standing in the petition-mentioned lands. The writ petition was disposed of on 27.08.2014 in the following directions:-

“ 4. The learned Additional Government Pleader on instructions submitted that local village people calling themselves as Village Munetra Sangam have raised objection.



5.The petitioner would state that the Village Munetra Sangam had filed a suit in O.S.No.185 of 2010 which was also dismissed by judgment dated 15.10.2012. The petitioner states that the Karuvela trees are standing in the petitioner's patta land.

6. In such circumstances, it is not known as to how the Village Munetra Sangam could object the cutting of those trees. In any event, as the request of police protection is pending before the third respondent, there will be a direction to the third respondent to consider the representation made by the petitioner and after examining the revenue records which are produced by the petitioners, the third respondent on being satisfied that the petitioners are proposing to out the Karuvela trees in their patta lands, grant adequate police protection in accordance with law.

With the above direction, the writ petition is disposed of. No costs. "

3. The petitioner herein has submitted a representation calling upon the jurisdictional police not to act in the matter. When this Court has given a direction, it is not



for the petitioner to put spokes in someone's wheel. If the petitioner felt aggrieved, he can apply for recall of the order or alternatively file writ appeal. Without doing so, seeking disposal of his representation is misconceived. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

18.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai District.
2. The Inspector of Police,
Manamadurai police station,
Manamadurai,
Sivagangai District.
3. The Tahsildar,
Manamadurai Taluk,
Manamadurai,
Sivagangai District.
4. The Land Surveyor,
Manamadurai Tahsildar Office,
Manamadurai Taluk,
Manamadurai,
Sivagangai District.



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5

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G.R.SWAMINATHAN,J.

PMU

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