



W.P(MD)No.4910 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4910 of 2024

Mohankumar

... Petitioner

Vs.

- 1.The District Collector,
Karur District,
Karur.
- 2.The Superintendent of Police,
Karur District,
Karur.
- 3.The Revenue Divisional Officer,
Manmagalam Taluk,
Karur District.
- 4.The Thasildar,
Manmagalam Taluk,
Karur District.
- 5.The Inspector of Police,
Thanthonimalai Police Station,
Karur District,
Karur.



W.P(MD)No.4910 of 2024

6.Eswaran

7.Kulainthaivelu

8.Sivayaee

9.Soliammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate action under Section 133 of Cr.P.C., based upon the petitioner's representation dated 11.12.2023 within stipulated time fixed by this Court and consequently direct the fifth respondent to provide police protection to the respondents 1 to 4 to remove the obstruction made in the pathway situated in Survey No.578/6 situated at Chetipalayam, Appipalayam Village, Manmangalam Taluk, Karur.

For Petitioner : Mr.S.Gokulraj

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader
for R.1, R.3 & R.4

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.2 & R.5



W.P(MD)No.4910 of 2024

WEB COPY

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Special Government Pleader appearing for the respondents 1, 3 and 4 and the learned Government Advocate (Criminal Side) appearing for the respondents 2 and 5.

2. The petitioner alleges that the petition mentioned pathway has been obstructed. The petitioner wants action to be taken under Section 133 Cr.P.C. The petitioner had already petitioned the fourth respondent. The fourth respondent had called for report from the Zonal Deputy Tahsildar. If there is material to indicate that public pathway has been obstructed, then the petitioner will refer the matter to the third respondent and the third respondent is directed to initiate action under Section 133 Cr.P.C. Whether to make a reference or not will be decided by the fourth respondent within a period of three weeks from the date of receipt of a copy of this order. If the fourth respondent finds merit and reference is made, the third respondent is directed to conclude the proceedings on merits and in accordance with law within a period of three months



W.P(MD)No.4910 of 2024

thereafter. I make it clear that I have not gone into the merits of the matter.

3. This writ petition is disposed of accordingly. There shall be no order as to costs.

04.03.2024

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

To

- 1.The District Collector,
Karur District, Karur.
- 2.The Superintendent of Police,
Karur District, Karur.
- 3.The Revenue Divisional Officer,
Manmagalam Taluk,
Karur District.
- 4.The Thasildar,
Manmagalam Taluk,
Karur District.
- 5.The Inspector of Police,
Thanthonimalai Police Station,
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W.P(MD)No.4910 of 2024

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.4910 of 2024

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