



Crl.O.P.(MD)No.22533 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **22.11.2024**

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.22533 of 2023

Ponnu Gounder @ Subba Gounder

... Petitioner

Vs.

1.The Inspector of Police,
Valanadu Police Station,
Trichy District.

2.Subbaiah

3.Chellaiah

4.Thiruppathi

5.Murugan

6.Vijay

7. Palanisamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to provide adequate police protection to the petitioner to cut down the trees standing in his land measuring about 0.13.0 areas, 0.04.50 ares, 0.03.50 ares



Crl.O.P.(MD)No.22533 of 2023

comprised in Survey Nos.281/2010, 281/7 and 281/8 respectively situated at Thulukkampatti, Kodumpatti Village, Marungapuri Taluk, Trichy District based on the representation dated 15.11.2023 and the reminder on 25.11.2023.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)
for R1

ORDER

This petition has been filed for a direction to the respondent police to provide police protection to the petitioner in order to enable the petitioner to cut down the standing tress in the property.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the first respondent.

3.The petitioner is claiming the right based on the decree that was passed in O.S.No.296 of 2013 by the District Munsif Court, Manapparai. The petitioner is aged about 84 years at the time of filing of this petition.



Crl.O.P.(MD)No.22533 of 2023

WEB COPY

4.Taking into the facts and circumstances of the case and the decree that has been passed in favour of the petitioner and also considering the fact that the patta is also standing in the name of the petitioner, there shall be a direction to the respondent police to conduct an enquiry and if the decree passed in favour of the petitioner in O.S.No. 296 of 2013 dated 07.04.2015 has become final, the private respondents shall be instructed not to interfere with the right of the petitioner to deal with the trees that are standing in the subject property. If on the alternative, the civil Court decree has already been put to challenge or the private respondents have initiated any civil proceedings independently, the parties shall be directed to work out their remedy before the competent civil Court.

5.This Criminal Original Petition stands disposed of in the above terms.

22.11.2024

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

3/5



Crl.O.P.(MD)No.22533 of 2023

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To

- 1.The Inspector of Police,
Valanadu Police Station,
Trichy District.

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



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Crl.O.P.(MD)No.22533 of 2023

N.ANAND VENKATESH,J.

PKN

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