



W.P.(MD) No.3324 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3324 of 2025

Shanmugaiya

... petitioner

Vs

1. The Superintendent of Police,
Tenkasi District, Tenkasi

2. The Second-Class Executive Magistrate /
Revenue Thasildar,
Sivagiri Taluk, Tenkasi District.

3. The Deputy Superintendent of Police,
Puliangudi, Tenkasi District.

4. The Inspector of Police,
Puliangudi Police Station,
Tenkasi District.

5. Kottursamy

((R5 is impleaded vide order dated 10.02.2024 in W.M.P.(MD)No.2510 of 2025 in W.P.(MD)No.3324 of 2025 by PDBJ)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct the respondents 3 and 4 to provide police protection to the petitioner's life and limb at the time of harvesting the paddy crops as order of the 2nd respondent dated



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25.01.2025 vide his proceedings in Na.Ka.No.SVGREV/17/2024-A1.

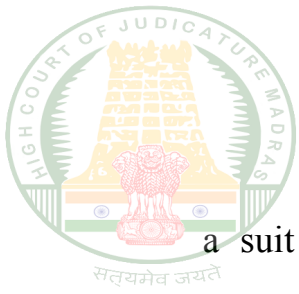
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For Petitioner : Mr.S.Sukumar
For Respondents :
For RR 1, 3 & 4 : Mr.M.Sakthi Kumar
Government Advocate (Crl.)
For R2 : Mr.M.Senthil Ayyanar
Government Advocate (Civil)
For R5 : Mr.R.J.Karthick

ORDER

This writ petition is filed by the petitioner to direct the respondents no.3 and 4 to issue police protection to the petitioner at the time of harvesting the paddy crops as per the order of the 2nd respondent dated 25.01.2025 through his proceedings in Na.Ka.No.SVGREV/17/2024-A1.

2. According to the petitioner, originally the land to an extent of 8.80 acres in S.No.657 / 1 of Sindthamani Village, Kadayanallur Taluk, Tenkasi District belongs to one Kottiyappakonar and his wife Muthammal. The petitioner is the male descendant of Kottiyappakonar and out of 8.80 acres, he is in possession and enjoyment of the property by cultivating 4.40 acres in the above said land. The female descendant one Muthammal also cultivating remaining lands of 4.40 acres. While so,



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a suit in O.S.No.42 of 2024 is also pending before the Sub Court, Sankarankoil. The petitioner cultivated paddy crops to an extent of 4.40 acres in the last year and harvested the same. Due to the civil dispute, one Kottursamy, who is the descendent of Muthammal and his family made life threat to the petitioner and tried to prevent the petitioner from harvesting the paddy crops. Therefore, he filed a petition in W.P. (MD).No.24 of 2025 and the same was ordered with direction that the Tahsildhar has to conclude the enquiry within a period of two weeks from the date of receipt of papers from the 2nd respondent. While so, the Tahsildhar also conducted enquiry and passed order in favour of the petitioner dated 25.01.2025. But the 3rd and 4th respondents colluding with Kottursamy failed to give protection for harvesting the paddy crops.

3. Today, the petitioner filed a petition to implead the 5th respondent and R.J.Karthick, appeared on behalf of the 5th respondent and has no objection to allow the Writ Miscellaneous Petition. Accordingly, the implead petition was allowed.

4. Mr.M.Sakthi Kumar, learned Government Advocate (Criminal) takes notice for the respondents no.1, 3 and 4. Mr.M.Senthil Ayyanar,



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learned Government Advocate (Civil) takes notice for the 2nd respondent.

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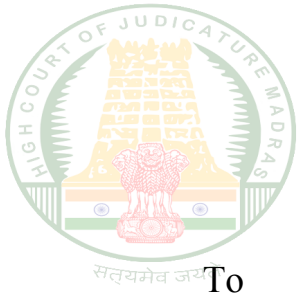
5. The learned counsel appearing for the 5th respondent would submit that there is no dispute in respect of the enjoyment of the property by the parties, but the particular property belongs to the 5th respondent and he only raised the paddy crops and already he harvested the paddy crops. He also admitted that the civil suit is pending. While so, in respect of the title of the property, the parties can approach the Civil Court to establish their civil rights and now, already the paddy crops were harvested by the 5th respondent. Therefore, it is for the petitioner to take appropriate steps to seek appropriate remedy before the appropriate forum for the crops harvested by the 5th respondent in accordance with law, if he is aggrieved. Since already the crops were harvested, no need to pass further order for providing police protection.

6. With the above said observations, this writ petition disposed of.

No costs.

10.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To
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1. The Superintendent of Police,
Tenkasi District,
Tenkasi..
2. The Additional Superintendent of Police,
Tenkasi District,
Tenkasi.
3. The Deputy Superintendent of Police,
Puliyangudi Division,
Tenkasi District.
4. The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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