



W.P(MD)No.6125 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.6125 of 2025

1.S.Murugan

2.Jothi

... Petitioners

Vs.

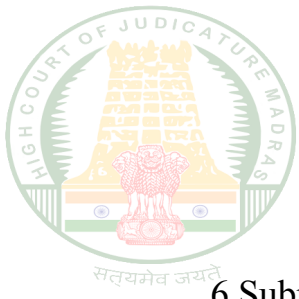
1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Sivagangai District,
Sivagangai.

3.The Inspector of Police,
Thiruvegampathur Police Station,
Devakottai Taluk,
Sivagangai.

4.The Sub Inspector of Police,
Thiruvegampathur Police Station,
Devakottai Taluk, Sivagangai.

5.Tahsildar,
Sivagangai District,
Sivagangai.



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6.Subramaniyan

7.Vasu

8.Ravichandran

... 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 5 herein to provide adequate police protection to the petitioners' properties at the time of removing and cutting the illegally grown Veli Karuvelam trees, Bushes and Thorns etc., falling in petitioners' Patta lands comprised in Survey Nos.92/3, 92/3A, 92/3B and 92/7 situated at Pallapacheri Village, Nedodai, Uruthikottai Panchayat, Devakottai Taluk, Sivagangai District on the basis of the petitioners' representation, dated 03.01.2025 and pass such further or other orders as this Court.

For Petitioners : Mr.A.Manish Kumar
for M/s.Ajmal Associates

For R-1 to R-4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 to 5 herein to provide adequate police protection to the petitioners' properties at the time of removing

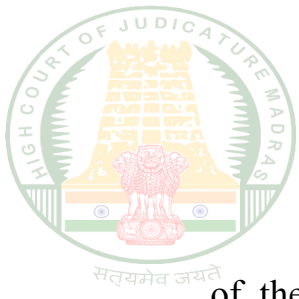


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and cutting the illegally grown Veli Karuvelam trees, Bushes and Thorns etc., falling in petitioners' Patta lands comprised in Survey Nos.92/3, 92/3A, 92/3B and 92/7 situated at Pallapacheri Village, Nedodai, Uruthikottai Panchayat, Devakottai Taluk, Sivagangai District on the basis of the petitioners' representation, dated 03.01.2025.

2. The learned Counsel appearing for the petitioners would submit that the petitioners are the owners of the properties and the private respondents have noway connected with the properties. While so, when the petitioners attempted to remove the trees and bushes in their land, the private respondents caused obstruction and thereby, the petitioners lodged a complaint before the police but no action was taken and the petitioners also sent a representation, dated 03.01.2025 and no action was taken. Already the case against the private respondents was filed in C.C.No.107 of 2023 and the same was ended into compromise. In that compromise, the private respondents had undertaken not to interfere with the property in S.No.92/3B since they have no any right over the property. However again they interfered with possession and enjoyment



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of the petitioner over the properties. Hence, the petitioners filed this petition.

3. The learned Additional Public Prosecutor appearing for the official respondents would submit that there is a dispute between the parties in respect of cutting the trees and already they received the petition from the petitioners as well as the private respondents and they assigned CSR Nos.6 and 7 of 2025 and after enquiry, both the petitions were closed on 29.01.2025. Therefore, nothing survives for further adjudication.

4. This Court considering the limited scope of prayer sought for in this petition even without issuing notice to the private respondents inclined to dispose of this petition.

5. According to the petitioners, the petitioners are the owner of the properties in S.No.92/3, 92/3A, 92/3B and 92/7 at Pallapacheri Village. The private respondents have no any right over the property. However, they caused obstruction. Already the representation of the petitioners was



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considered and the private respondents also lodged complaint against the petitioners and both the complaints were enquired and closed. This Court also perused the materials available on record. The petition filed by the petitioners is to give police protection for the immovable property. Since the petitioners have no any civil decree in their favour in respect of those properties, police protection cannot be granted for the disputed properties. However, already FIR has been registered as against the private respondents based on the complaint given by the petitioners and the same was also disposed after compromise between the parties. Now again the respondents causing disturbance to the petitioners. While so, it is for the petitioners to approach the jurisdictional police, if any criminal activities done by the private respondents during the cutting of trees. By preserving the above said liberty of the petitioners, this writ petition stands closed. There shall be no order as to costs.

07.03.2025

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



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P.DHANABAL, J.

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