



W.P.(MD) NO.8267 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.8267 of 2025

A.S.Karunakaran

... Petitioner

Vs.

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

2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

3.Chandrasekaran.

... Respondents

PRAYER: Wri Petition filed under Section 226 of Constitution of India for a Writ of Mandamus to direct the 2nd respondent to take action against the 3rd respondent, based on the petitioner's complaint, dated 02.12.2024.

For petitioner : Mr.B.Prasanna Vinoth

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (CrI.Side) for R1 & R2



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ORDER

The petition is filed by the petitioner to direct the second respondent to take action against the third respondent, based on the petitioner's complaint, dated 02.12.2024.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the property, comprised in S.F.No.18/2, to an extent of 3488 sq.ft., situated at Vedhavijayapuram Village, Orathanadu Taluk, Thanjavur District. He also filed a suit in O.S.No.111 of 1999, before the learned District Munsif-cum-Judicial Magistrate for declaration and permanent injunction and the same was decreed on 28.04.2010, against which appeal in A.S.No.32 of 2010 was filed and the same was dismissed on 29.09.2010. Thereafter, no any appeal has been filed and hence, the said judgment attains finality. Now, the third respondent, by trespassing into the property, cut the trees. Therefore, he lodged a complaint before the second respondent, on 02.12.2024, but no action was taken. Therefore, he filed this petition.



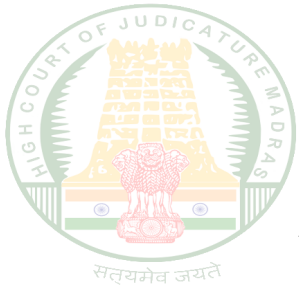
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3. The learned Additional Public Prosecutor (Crl.Side) for the respondents 1 and 2 would submit that the complaint of the petitioner is under enquiry and the same will be completed within a week.

4. Considering the prayer sought for in this petition, this Court, without issuing notice to the third respondent, is inclined to pass orders.

5. According to the petitioner, he is the owner of the property and he got decree in his favour. In spite of that, the third respondent cut the trees and removed. Hence, he lodged a complaint before the second respondent and the same has not been considered.

6. The second respondent also admitted the receipt of the complaint and the same is under enquiry. Therefore, it is appropriate to direct the second respondent to complete the enquiry and to take appropriate action based on the complaint of the petitioner in accordance with law within a period of one week from the date of this order.



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7. With the abovesaid observations and directions, this Writ Petition
is disposed of.

26.03.2025

NCC : Yes/No

Index : Yes / No

Internet : Yes / No

apd

To

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

2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

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



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P.DHANABAL,J

apd

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