



W.P.(MD)No.24 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.24 of 2025

Shanmugaiya

Vs

.. Petitioner

1. The Superintendent of Police
Tenkasi District, Tenkasi

2. The Inspector of Police
Puliangudi Police Station
Tenkasi District

3. Kottursamy

4. The Tahsildhar
Sivagiri
(Suo motu impleaded vide order dated
06.01.2025)

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent police to provide adequate police protection to the petitioner for his life and limb at the hands of the third respondent



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For Petitioner : Mr.S.Sukumar
For Respondents : Mr.A.Thiruvadikumar
No.1 and 2 Additional Public Prosecutor
No.4 : Mr.M.Muthumanikkam
Government Advocate(Civil side)

ORDER

This Writ Petition has been filed to direct the second respondent police to provide adequate police protection to the petitioner for his life and limb at the hands of the third respondent.

2. The petitioner has sent a complaint to the second respondent on 27.11.2024 stating that he is an agriculturist and also doing milk vending business. There is a partition dispute between the petitioner and the third respondent. There is a civil suit pending in O.S.No 42 of 2024 before the Sub Court, Sankarankovil. The petitioner is cultivating lands in S.No. 675/1 to an extent of 4.40 hectares in Sinthamani Village, Kadayanallur Taluk, Tenkasi District and the crops are ripe for harvesting. In such circumstances the third respondent herein is claiming his right in the property and obstructing the petitioner in continuing with the



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agricultural activities. The petitioner in support of his contention had produced Village Administrative Officer Certificate dated 18.10.2024 showing the cultivation of the petitioner in S.No.675/1.

3. The learned Additional Public Prosecutor submitted that on the complaint of the petitioner, petitioner was called for enquiry and civil suit is pending between the petitioner and the third respondent. Finding the dispute is civil in nature the respondent police has closed the complaint as civil in nature. The third respondent is also claiming his right over the property

4. The learned counsel appearing for the petitioner submitted that the crops are ripe for harvesting and due to the obstruction and muscle power shown by the third respondent he is unable to harvest the crops, hence the matter may be referred to the Tahsildhar, Sivagiri or to any other revenue officials to help the petitioner to adjudicate the dispute between them and harvest the crops.



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5. In view of the same, the Tahsildhar, Sivagiri is *suo motu* impleaded as fourth respondent in the writ petition.

6. Since the crops are ripe for harvest, the second respondent is directed to transmit the entire papers in connection with the petitioner's complaint to the Tahsildhar, Sivagiri forthwith who shall enquire and decide the dispute between the petitioner and the third respondent without any further delay.

7. The learned counsel appearing for the petitioner, on instructions, submitted that the petitioner will appear before the Tahsildhar, Sivagiri on 09.01.2025. The second respondent to inform the third respondent about the pendency of the complaint before the Tahsildhar, Sivagiri .

8. The Tahsildhar, Sivagiri is directed to conclude the enquiry within a period of two weeks from the date of receipt of papers from the second respondent.



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9. With the above direction the Writ Petition stands disposed of.

No costs.

06.01.2025

Index: Yes/No

Internet : Yes/No

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Note: Issue order copy on 07.01.2025

To

1. The Superintendent of Police
Tenkasi District, Tenkasi
2. The Inspector of Police
Puliangudi Police Station
Tenkasi District
3. The Tahsildhar
Sivagiri
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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