

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No. 34719 of 2016

& WMP.No.2996 of 2016

1 Adams Associates
Rep by its Partner
Mr.V. Shanmuga Sundara Moorthy,

PETITIONER

Vs

1 The District Collector
Thiruppur District Thiruppur

2 The Revenue Divisional Officer
Thiruppur Town Thiruppur

3 The Thasildar
Palladam Taluk Palladam

4 The Superintendent of Police
Thiruppur District Thiruppur

5 The Inspector of Police Law &
Order Palladam Police Station Palladam

6 The Chief Manager
State Bank of Bikaner & Jaipur Specialized
SME Branch 58 Municipal Office Road
Thiruppur-641 604

7 The Authorised Officer
State Bank of Bikaner & Jaipur No.24
Veeras Arena Municipal Office Road
Tiruppur-641 604.

8. P. Sivakumar

....RESPONDENTS

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondents no. 1 to 3 to conduct the subdivision of the land measuring an extent of 2.61 Acres of land comprised in SF.No.

263/3 at Kalaran Thottam Rajiv Gandhi Nagar Road
Vadugapalayamputhur Vadugapalayam Post Vadugapalayam Village
Palladam Taluk Thiruppur District-641 664 with necessary police
protection in the presence of the respondents No. 6 and 7.

For Petitioner : Mr.N.S.Mohamed Rafi
For Respondents : Mr.A.Kumar, Spl. G.P.
for R1 to R5

O R D E R

Petitioner has come up with the present writ petition seeking a writ of mandamus directing the respondents no. 1 to 3 to conduct the subdivision of the land measuring an extent of 2.61 Acres of land comprised in SF.No. 263/3 at Kalaran Thottam Rajiv Gandhi Nagar Road Vadugapalayamputhur Vadugapalayam Post Vadugapalayam Village Palladam Taluk Thiruppur District-641 664 with necessary police protection in the presence of the respondents No. 6 and 7..

2. According to the petitioner, he is the successful bidder through public auction sale conducted pursuant to the proceedings initiated under SARFAESI Act and he had been recognised as the purchaser and patt had also been granted in his favour. Subsequently, petitioner made application to the third respondent for sub division of the lands, the same had been obstructed by the eighth respondent who is claiming to be the original borrowers for the reasons best known to him. Hence, the petitioner has come up with the present petition.

3. Learned Special Government Pleader had produced the counter affidavits of the third and fifth respondent. As per the counter affidavit of the third respondent, the eighth respondent is causing hindrance for such measurement and if sufficient police protection is given they would take further action. As per the counter affidavit of the fifth respondent, Inspector of Police, Palladam Police Station, they are ready and willing to give police protection to the revenue officials as well as to the petitioner for such measurement and that the same can be taken in accordance with law.

4. In view of the above stated position, the fifth respondent is hereby directed to give sufficient police protection to the revenue authorities as well as to the petitioner and the third respondent shall measure the land and submit a report in accordance with law.

This writ petition is disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-IV)

//True Copy//

Sub-Assistant Registrar

To

- 1 The District Collector
Thiruppur District Thiruppur
- 2 The Revenue Divisional Officer
Thiruppur Town Thiruppur
- 3 The Thasildar
Palladam Taluk Palladam
- 4 The Superintendent of Police
Thiruppur District Thiruppur
- 5 The Inspector of Police Law &
Order Palladam Police Station Palladam

+1 CC to M/s. N.S. Mohammed Rafi, Advocate sr 6136

+1 CC to Government Pleader sr 6276

सत्यमेव जयते

W.P.No. 34719 of 2016

KJ (CO)
sp/16/2

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