



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.14396 of 2017

and

W.M.P(MD) .No.11281 of 2017

P.M.Yusuf

: Petitioner

-Vs-

1.The District Collector,
Trichy District,
Trichy.

2.The Superintendent of Police,
Trichy District,
Trichy.

3.The Inspector of Police,
Valanadu Police Station,
Trichy,
Trichy District.

4.The Sub Inspector of Police,
Valanadu Police Station,
Trichy,
Trichy District.

5.Ramesh Babu,
The Sub Inspector of Police,
Valanadu Police Station,
Trichy,
Trichy District.

6.Marudhu,
The Sub Inspector of Police,
Valanadu Police Station,
Trichy,
Trichy District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the respondent more particularly the 5th & 6th respondents from interfering with the petitioner's right of digging his own patta land in S.No.194/2 situated at Valanadu Village, Manapparai Circle, Trichy District and also to direct the 1st respondent to take appropriate action against the 5th & 6th respondent by considering the representation dated 11.07.2017.



For Respondents : Mr.A.Muthukannan
Government Advocate (For R1 to R4)

O R D E R

This writ petition is filed seeking for the issuance of a Writ of Mandamus to forbear the respondents 5 and 6 from interfering with the petitioner's right of digging bore-well in his own patta land in S.No.194/2 situated at Valanadu Village, Manapparai Circle, Trichy District, and also to direct the 1st respondent to take appropriate action against the respondents 5 and 6 by considering the representation of the petitioner, dated 11.07.2017.

2. Mr.G.Muthukannan learned Government Advocate takes notice for the respondents 1 to 4. The fourth respondent is present before this Court. By consent, this writ petition is taken up for final disposal, at the admission stage itself.

3. The learned Government Advocate, on instructions, would submit that since the respondents 3 and 4 received complaints stating that the petitioner is attempting to dig a bore-well in a pathway, they intervened in this matter. It is further submitted that a suitable direction can be issued to the Tahsildar, Marungapuri Taluk, Trichy District to survey the property of the petitioner and if the petitioner digs a bore-well in his patta land, the issue can be given a quites.

4. In view of the above submission, the first respondent/District Collector is directed to issue suitable direction to the Tahsildar, Marungapuri Taluk, to measure the property of the petitioner in Survey No.194/2 situated at Valanadu Village, Manapparai Circle, Trichy District, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that after measurement is carried out, the petitioner is entitled to dig a bore well in his patta land and in such event the respondent shall not interfere in the right of the petitioner.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Trichy District,

<https://hcservices.ecourts.gov.in/hcservices/>

Trichy.



2.The Superintendent of Police,
Trichy District,
Trichy.

3.The Inspector of Police,
Valanadu Police Station,
Trichy,
Trichy District.

4.The Sub Inspector of Police,
Valanadu Police Station,
Trichy,
Trichy District.

+1cc to M/s.Ajmal Associates,Advocate,SR.69912

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and

W.M.P (MD) .No.11281 of 2017
02.08.2017

RMK/SKN

KK/MMS/SAR3/10.08.2017/ 3P- 6C/