



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.05.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

W.P. (MD) No. 8775 of 2017

and

W.M.P. (MD) No. 6729 of 2017

Seerengammal

: Petitioner

-Vs-

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Tahsildar,
Kamudhi Taluk Office,
Kamudhi,
Ramanathapuram District.

3. Seetharaman

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records issued by the 2nd respondent in his proceedings in Na.Ka.No.D1/2838/2017 dated 02.05.2017 and quash the same as illegal and consequently for bearing the respondents from any way survey and demarcating the property comprised in Survey No.175/1A2B at koolipatti, Neeravi Post, Kamudhi Taluk, Ramanathapuram district.

For Petitioner : M/s.S.Bharathi

For Respondents 1&2 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

Pursuant of the order passed by this Court in W.P.(MD)No.4801 of 2017, dated 22.03.2017, the Tahsildar has addressed a communication dated 02.05.2017 to the Inspector of Police, Kamudhi, for giving police protection for measuring the land, challenging which, the present Writ Petition has been filed.

2. Heard the learned counsel for the petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, who takes notice on behalf of the first and second respondents.

3. The learned counsel for the petitioner submitted that in <https://hdservices.courtsgov.in/hdservices> 02.05.2017, the survey number has been wrongly given and, therefore, the order suffers from the vice of



arbitrariness.

4. In the considered opinion of this Court, the communication dated 02.05.2017 cannot be construed as an order passed by the Tahsildar. It is only a request by the Tahsildar to the Inspector of Police to give police protection for implementing the order passed by this Court in W.P.(MD)No.4801 of 2017. Therefore, the said communication cannot be subjected to judicial review under Article 226 of the Constitution of India. Therefore, this Writ Petition is devoid of merits and accordingly, the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Vacation officer()

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Kamudhi Taluk Office,
Kamudhi,
Ramanathapuram District.

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 55770

W.P. (MD)No.8775 of 2017
04.05.2017

GNS/SML
kk/SV/SAR4-09.05.2017-2P-4C