

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :07.12.2018

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No. 17660 of 2013

A.Jafarulla

... Petitioner

1. The Tahsildhar,
Chidambaram Taluk,
Chidambaram,
Cuddalore District.

2. The Sub Inspector of Police,
T.Puthur Police Station,
T.Puthur, Kattumannarkoil Taluk,
Cuddalore District.

3. Natesan

... Respondents

Prayer :

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the 1st respondent to depute the Surveyor to survey the Mosque land situated in S.No.43/5 and 43/6, T.Neduncheri Village, Chidambaram Taluk, Cuddalore District with adequate police protection.

For Petitioner : Mr. C.Prakasam

For Respondents : Mr.B.Anand
Government Advocate for R.1 & R.2

: Mr.G.Pugazhenthir

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O R D E R

On the last date of hearing the following order was passed by this Court:-

"The instant writ petition has been filed for issuance of a writ of mandamus to direct the Tahsildar, Chidambaram Taluk, Chidambaram, Cuddalore District to depute the Surveyor to survey the Mosque

land situated in S.No.43/5 and 43/6, T.Neduncheri Village, Chidambaram Taluk, Cuddalore District.

2. Averment of the writ petition is that the petitioner the Muthavalli of Jamiya Masjid, T.Neduncheri Mosque. It is the allegation of the petitioner that anti-social elements attempted to encroach the mosque and therefore, it was decided by the petitioner to protect the property by fencing the land. When the petitioner was putting up fence around the land, the 3rd respondent prevented him from fencing the land and claiming that the land belongs to them.

3. It is also stated in the writ petition that prescribed fees has been paid to the first respondent to conduct the survey of the said land, but the third respondent is preventing the first respondent to conduct the survey. The Tahsildar has not filed any counter till date. The Tahsildar is directed to file his counter as to why he cannot conduct a survey of the land and take measurements. The counter should be filed within a week time.

4. Post the matter on 07.12.2018."

2. Today the learned counsel for the State informed that the survey has already been conducted in the presence of the writ petitioner. He has placed the proceeding of survey on record. The proceedings are taken on record. In view of this fact, the writ petition deserves no further consideration and dismissed as infructuous. The learned counsel has also made an endorsement to that effect. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gsp/pkn

To

1. The Tahsildhar,
Chidambaram Taluk,
Chidambaram,
Cuddalore District.

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2. The Sub Inspector of Police,
T.Puthur Police Station,
T.Puthur, Kattumannarkoil Taluk,
Cuddalore District.

+1cc to the Government Pleader, S.R.No.85079

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SSI (CO)
CS/04/02/2019



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