



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26.11.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.(MD)No.23395 of 2018

M.Selvarani

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Superintendent of Police,
Theni District.

3.The Thasildhar,
Periyakulam Taluk,
Theni District.

4.The Inspector of Police,
Allinagaram Police Station,
Theni District.

5.T.Ramesh

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent herein to take necessary action with respect to the application for field survey of the lands of the petitioner, dated 24.10.2018 under the protection of the fourth respondent.

For Petitioner : Mr.Palanisamy for
Mr.M.Gururaj

For Respondents : Mr.R.Anandharaj
Addl. Public Prosecutor
(for R1 to R4)

O R D E R

This petition has been filed seeking for a direction to the third respondent to take necessary action with respect to the application for field survey of the lands of the petitioner, dated 24.10.2018, under the protection of the fourth respondent.



2.The learned counsel appearing for the petitioner would submit that the petitioner and her husband are the owners of the agricultural lands in S.No.1120/2A, 2B of Vadaveeranayakkanpatti village, Theni District and they have been enjoying the same, since the date of purchase by two sale deeds viz., sale deed No.4240 of 2017 dated 01.08.2017, which is in favour of the petitioner and her husband, and by a sale deed vide Doc.No.4206/2017 dated 31.07.2017, which is in favour of the petitioner alone. He would submit that the fifth respondent is sharing boundaries with the petitioner's land in S.No.1120/2C and that the fifth respondent had been continuously causing trouble to the petitioner. While so, on 17.10.2018, the fifth respondent had created huge problem and also threatened the petitioner. He would further submit that the petitioner is prepared for conducting survey of the lands and since the fifth respondent is unnecessarily creating the problem the petitioner has give a representation to the third respondent to conduct survey under the protection of the fourth respondent. Since the said representation has not been considered so far, the present writ petition has been filed seeking the relief as stated supra.

3.Considering the limited scope of the prayer as sought for in this writ petition, this Writ Petition is disposed of with a direction to the third respondent to conduct survey of the petitioner's property in accordance with law, after giving sufficient notice to the fifth respondent as well as to the other neighbouring land owners and on the date fixed by the third respondent for survey, the fourth respondent shall provide protection, if there is any problem. No costs.

Sd/

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar(CS-III)

To

- 1.The District Collector,
Theni District.
 - 2.The Superintendent of Police,
Theni District.
 - 3.The Thasildhar,
Periyakulam Taluk,
Theni District.
 - 4.The Inspector of Police,
Allinagaram Police Station,
Theni District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.M.GURURAJ, Advocate, SR.No.97440

W.P. (MD) No.23395 of 2018

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