



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.17306 of 2019

M.Alagu

...Petitioner

-Vs-

- 1.The Superintendent of Police,
Office of the Superintendent of Police
Madurai District.
- 2.The Tahsildar,
Office of the Tahsildar,
Vadipattti Taluk,
Madurai District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District
- 4.The Firka Surveyor,
Vadiaptti Firka,
Vadipatti Taluk,
Madurai District.
- 5.The Inspector of Police,
Vadipatti Police Station,
Madurai District.
6. M.Chellapandi
7. M.Thangapandi
8. K.Murugesan

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents No.2 and 4 to survey the petitioner's land comprised in survey No.1092A / 2B2A1 situating at Katchaikatti, Vadipatti Taluk, Madurai

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District and consequently directing the respondent Nos. 3 and 5 to provide adequate police protection at the time of survey and fencing within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For R1 to R5 : Mr.V.Anand, Government Advocate

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ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents No.2 and 4 to survey the petitioner's land comprised in survey No.1092A / 2B2A1 situating at Katchaikatti, Vadipatti Taluk, Madurai District and consequently directing the respondent Nos. 3 and 5 to provide adequate police protection at the time of survey and fencing within the time stipulated by this Court.

2.Heard Mr.S.Malaikani, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents. Since no adverse order is going to be passed against the respondents 6 to 8, notice to them is dispensed with.

3.The petitioner, in order to survey the land and identify the four boundaries in survey No.1092A / 2B2A1 situating at Katchaikatti, Vadipatti Taluk, Madurai District, has given representation on 18.07.2019. Even prior to that, such a request was made by the petitioner,. However, when attempt was made by the Tahsidlar concerned, the adjacent land owners, who are the private respondents herein seems to have made objection. Therefore, that issue has not so far been completed. Therefore, the petitioner is before this Court.

4.I have heard the learned Government Advocate appearing for the respondents, who would submit that, based on the said representation dated 18.07.2019, an enquiry would be conducted with the petitioner as well as the rival claimants, who are the adjacent land owners and accordingly, needful would be done within a time frame.

5.Having regard to the said submission, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 2nd respondent is directed to consider the representation of the petitioner dated 18.07.2019, after hearing the petitioner as well as the private respondents herein and do the needful with regard to the measurement of the land and pass final orders thereon, within a period of 6 weeks from the date of receipt of a copy of this order".



6.With the above direction, this writ petition is disposed of.
No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-III)

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police
Madurai District.
- 2.The Tahsildar,
O/o.The Tahsildar,
Vadipattti Taluk,
Madurai District.
- 3.The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District
- 4.The Firka Surveyor,
Vadiaptti Firka,
Vadipatti Taluk,
Madurai District.
- 5.The Inspector of Police,
Vadipatti Police Station,
Madurai District.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-79890[F] dated 06/08/2019)

+1 CC to M/s.Special Govt.Pleader (SR-80294[F] dated 07/08/2019)

Order made in
W.P. (MD) No.17306 of 2019
06.08.2019

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SDS (20.12.2019) 3P 8C