



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.09.2019
CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

W.P.(MD)No.650 of 2018
and
W.M.P.No.677 of 2018

Senthil Vadivu

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.Superintendent of Police,
Sivagangai, Sivagangai District.

2.The Tashildhar,
Thirupathur Taluk,
Sivagangai District.

3.The Inspector of Police,
Nerkupai Police Station,
Nerkupai, Sivagangai District.

4.The Taluk Surveyor,
Thirupathur Taluk,
Thirupathur, Sivagangai District.

5.K.Radha

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of mandamus, to direct the respondent No.4 to survey the land of the petitioner in Survey Nos.298/4, 298/5, 298/6, 298/7 at Thuvar Village, Thirupathur Taluk, Sivangangai District and consequently, direct the respondents 1 and 3 to provide police protection while erecting the boundary stones.

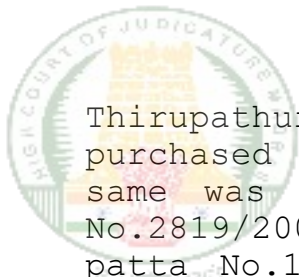
For Petitioner	: Mr.T.Lajapathi Roy
For R1 to R4	: Mr.R.Anandharaj,
	Additional Public Prosecutor.

O R D E R

The Writ Petition has been filed seeking police protection to survey the land comprised in Survey Nos.298/4, 298/5, 298/6, 298/7 at Thuvar Village, Thirupathur Taluk, Sivangangai District.

2.The learned counsel for the petitioner would submit that the petitioner is a Correspondent of the Saravana Matriculation School,

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



Thirupathur Taluk, Sivagangai District. The aforesaid land was purchased by the brother of the petitioner on 02.11.2009 and the same was registered through a registered sale deed in Document No.2819/2009 and subsequently, patta was effected in his favour in patta No.1908. Thereafter, the petitioner desired to put up some construction, but, the fifth respondent is preventing the petitioner. The fifth respondent is no way connected with the said land. The learned counsel for the petitioner further submitted that the petitioner has also paid the regular taxes to the concerned authorities, namely, the Tashildhar, Thirupathur Taluk. Hence, he has filed this petition for seeking police protection.

3.Heard the learned counsel for the petitioner and also the learned counsel for the respondent.

4. Considering the facts and circumstances of the case, this Court is of the view that the petitioner cannot seek police protection to survey the land. However, the petitioner can approach the concerned authorities, namely, the Tahsildar, Taluk Surveyor, Thirupathur Taluk, Sivagangai District, for surveying his land. If the authorities concerned faces any difficulty, they can very well approach the jurisdictional police to seek police protection to survey the said land comprised in Survey Nos.298/4, 298/5, 298/6, 298/7 at Thuvar Village, Thirupathur Taluk, Sivangangai District.

5.If any petition is filed for seeking police protection, the third respondent, namely, the Inspector of Police, Nerkupai Police Station, shall conduct an enquiry after issuance of notice to all the parties concerned and pass orders in accordance with law.

6.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

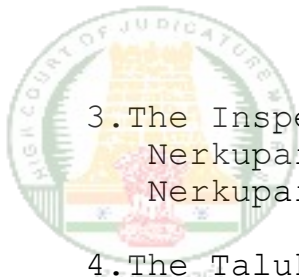
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Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
O/o.Superintendent of Police,
Sivagangai, Sivagangai District.

2.The Tashildhar,
Thirupathur Taluk,
Sivagangai District.



3.The Inspector of Police,
Nerkupai Police Station,
Nerkupai, Sivagangai District.

4.The Taluk Surveyor,
Thirupathur Taluk,
Thirupathur, Sivagangai District.

+1 CC to Mr.T.LAJAPATHIROY, Advocate (SR-85274[F] dated
05/09/2019)

W.P.(MD)No.650 of 2018

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04.09.2019

DAS

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