



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD)No.787 of 2018

K.N.P.Krishnan

... Petitioner

Vs.

1.The Tahsildhar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

2.The Town Surveyor,
Urban land tax scheme,
Usilampatti, Madurai District.

3.The Sub-Inspector of Police,
Usilampatti Town,
Usilampatti,
Madurai District.

4.Anbumani

5.Thulasimani

... Respondents

(R4 and R5 are impleaded vide order dated 09.08.2019, made in WMP (MD)No.2564 of 2018)

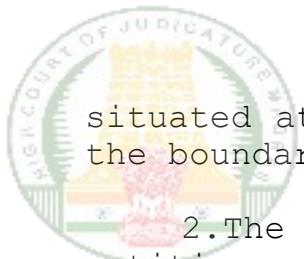
PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of mandamus, to direct the respondent No.2 to survey the land of the petitioner in T.S.No.301 extent of 2039 sq.feet situated at Block No.60, Usilampatti Town, Madurai District and fix the boundary stones with adequate police protection.

For Petitioner : Mr.T.Lajapathi Roy

For R1 to R3 : 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 T.S.No.301 extent of 2039 sq.feet
<https://hcservices.ecourts.gov.in/hcservices/>



situated at Block No.60, Usilampatti Town, Madurai District and fix the boundary stones.

2.The learned counsel for the petitioner would submit that the petitioner is having land in the Usilampatti Town, Madurai District. In order to sell the property, the petitioner wants to survey the land and the petitioner sent a letter to the second respondent, namely, the surveyor, requesting him to survey the land. On 14.11.2017, the second respondent issued notice to the petitioner stating that on 28.11.2017, the said land will be surveyed. On that day, the surveyor came to the petitioner's land, but, one Muthuveerammal,

who is no way connected with the said land, prevented the surveyor. Hence, the petitioner filed this petition.

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 Tahsildhar, Usilampatti Taluk, Usilampatti, Madurai 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 T.S.No.301 extent of 2039 sq.feet situated at Block No.60, Usilampatti Town, Madurai District.

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

6.With the above said direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Tahsildhar,
Usilampatti Taluk,
Usilampatti, Madurai District.

2.The Town Surveyor,
Urban land tax scheme,
Usilampatti, Madurai District.

3.The Sub-Inspector of Police,
Usilampatti Town, Usilampatti,
Madurai District.

+1 CC to Mr.T.LAJAPATHIROY, Advocate SR-85276.

+1 CC to Mr.K. R.LAXMAN, Advocate SR-85450.

W.P. (MD) No. 787 of 2018

04.09.2019

CS (24.09.2019) 3P 6C