



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD) .No.9736 of 2018

M.Anthony Raj

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District.
- 2.The Superintendent of Police,
Thoothukudi District,
Kovilpatti,
Thoothukudi District.
- 3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Office,
Kovilpatti,
Thoothukudi District.
- 4.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.
- 5.The Inspector of Police,
Kadampur Police Station,
Thoothukudi District.

6.K.Muthaiya

... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, issue a writ of mandamus, to direct the respondents herein to conduct survey and demarcate the boundaries of the petitioner's land bearing S.No.407/7 in joint patta No.806 of an extent of 4.35 hectares (10 acres 77 cents) respectively situated in Onamakkulam Village, Kayathar Taluk, Thoothukudi District on the basis of the payment made through Challan No.87, dated 04.11.2017 along with the representation given by in person and consequently, direct the respondents 2 and 5 to give police protection.

For Petitioner : Mr.M.Maria Vinola

For R1 to R5 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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



For R6

: M/s.N.Santhi Priya

ORDER

The Writ Petition has been filed seeking a direction to conduct survey and demarcate the boundaries of the petitioner's land bearing S.No.407/7 in joint patta No.806 of an extent of 4.35 hectares (10 acres 77 cents) respectively situated in Onamakkulam Village, Kayathar Taluk, Thoothukudi District on the basis of the payment made through Challan No.87, dated 04.11.2017 along with the representation and also give an adequate police protection.

2.The learned counsel for the petitioner submitted that the petitioner applied for surveying the land and demarcate the boundaries of the land comprised in Survey No.407/7 in joint patta No.806 of an extent of 4.35 hectares (10 acres 77 cents) respectively situated in Onamakkulam Village, Kayathar Taluk, Thoothukudi District. He also submitted that the petitioner also paid requisite fee and for which, a challan No.87, issued dated 04.11.2017, before the concerned revenue authorities. While being so, the sixth respondent is object to even survey the said land, therefore, the petitioner sought for police protection to survey his land and also demarcate the boundaries.

3.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4.Admittedly, the petitioner paid requisite fee before the concerned revenue authorities to survey the land. Therefore, the surveyor, to survey the land belongs to the petitioner as interest of him, if the surveyor finds any difficulties to survey the land of the petitioner from the third parties, he can very well seek appropriate police protection before the concerned police officials for police protection.

5.If any petition is filed by the surveyor, the concerned police officials are directed to consider the same, after conducting enquiry with the rival parties and pass order on merits.

6.With the aforesaid observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



Das

To

1.The District Collector,
Thoothukudi District.

2.The Superintendent of Police,
Thoothukudi District,
Kovilpatti,
Thoothukudi District.

3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Office,
Thoothukudi District.

4.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

5.The Inspector of Police,
Kadampur Police Station,
Thoothukudi District.

+1 CC to M/s.M.MARIA VINOLA, Advocate (SR-87116[F] dated 17/09/2019

+1 CC to M/s.N.SANTHIPRIAY, Advocate (SR-87209[F] dated
17/09/2019)

W.P. (MD) .No.9736 of 2018
16.09.2019

JMN(30.09.2019) 3P : 8C