



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

W.P(MD)No.9950 of 2020

WEB COPY

K.Prithiviraj

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District,
Tenkasi.

2.The Sub-Inspector of Police,
Thiruvenkadam Police Station,
Tenkasi District.

3.The Tahsildar,
Thiruvenkadam Taluk,
Tenkasi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to give police protection for survey of the property in Natham S.No.51, Ward No.6, Ramalingapuram @ Aldadipatti Village, Karisalkulam Village, Thiruvenkadam Taluk, Tenkasi District, on the date fixed for survey by the 3rd respondent, by considering the petitioner's representation, dated 23.07.2020, on merits.

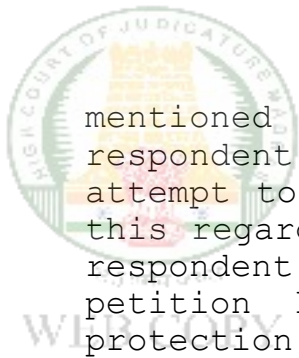
For Petitioner : Mr.H.Arumugam

For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

The present writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to give police protection for surveying the property comprising in Natham S.No.51, Ward No.6, Ramalingapuram @ Aldadipatti Village, Karisalkulam Village, Thiruvenkadam Taluk, Tenkasi District, by considering the petitioner's representation, dated 23.07.2020.

2. Today when the writ petition is came up for hearing, the learned counsel appearing for the petitioner would submit that through a decree passed by the District Munsif, Sankarankovil, the petitioner was declared as an absolute owner to the petition



mentioned property. Though the decree is in his favour, the respondent in the Second Appeal without any *locus standi* made an attempt to interfere in the process of measuring the property. In this regard, the petitioner herein lodged a complaint before the 3rd respondent Police on 23.07.2020 and therefore, allowing the writ petition by ordering the respondent Police to give police protection for survey of the property, if necessary.

3. In this regard, the learned Additional Public Prosecutor appearing for the respondents Police, on instructions, would submit that based on the complaint given by the petitioner dated 23.07.2020, an enquiry has been initiated on the file of the 2nd respondent in G7/9094/SP/LO/2020 and the same is pending, for appearance of both the parties. Further, he undertakes to give necessary protection to the petitioner by following the decree passed by the competent Court of Law.

4. Recording the submission made by the learned Additional Public Prosecutor, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 2.The Sub-Inspector of Police,
Thiruvenkadam Police Station,
Tenkasi District.



3.The Tahsildar,
Thiruvenkadam Taluk,
Tenkasi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.H. ARUMUGAM, Advocate (SR-15161[F] dated 27/08/2020)

W.P (MD) No. 9950 of 2020
25.08.2020

KM (04.09.2020) 3P 6C