



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2020

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.14373 of 2020

WEB COPY

Kannan

... Petitioner

vs.

- 1.The Superintendent of Police
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
- 3.The Assistant Director,
Land Survey,
Sivagangai District,
Sivagangai.
- 4.The Thasildar,
Singampunari Taluk,
Sivagangai District.
- 5.The Taluk Assistant Surveyor,
Singampunari Taluk,
Sivagangai District.
- 6.Raja
- 7.Saravanan

... Respondents

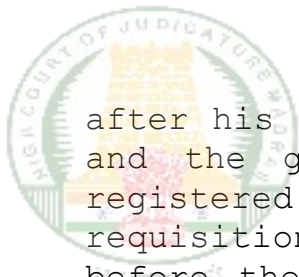
Prayer: Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner as per his representation dated 14.09.2020.

For Petitioner : Ms.S.Prabha
For R1 to R5 : Mr.R.Srinivasan
Government Advocate

O R D E R

This writ petition has been filed to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner as per his representation dated 14.09.2020.

2.The petitioner would state that he had ancestral land in S.No.149/2, Kambalinga Theru, Thensingampunari Group, Singampunari Taluk, Sivagangai District, which belong to his grandfather and



after his demise, the property stood in the name of his grandmother and the grandmother also died in 1995, but the death was not registered at that point of time. Now the petitioner has given a requisition letter for registration of the death of his grandmother before the concerned authority. According to the petitioner, the above S.No.149/2 was divided into several parts and sold to several persons. The said land is measuring 2.35 acres, in which, 7 cents in the north-east portion was purchased by one Karuppaiah Asari and the said Karuppaiah Asari also passed away and the respondents 6 and 7 who are the sons of the said Karuppaiah Asari are now residing in the above said land. The petitioner wanted to fence his own land which is a vacant land adjacent to the land of the 6th and 7th respondents and when the surveyor came for earmarking the land on 04.08.2020, the 6th and 7th respondents created problems. The encumbrance certificate also clearly shows that the 6th and 7th respondents held only 7 cents and according to the petitioner, the map also shows only 7 cents. Since the 6th and 7th respondents did not allow the surveyor to survey and earmark the petitioner's land, a representation was given to the 4th respondent for giving police protection and the 3rd respondent has also given a consent letter dated 21.09.2020 in O.Mu.Aa.No.1/2734/2020 for providing adequate police protection for survey and fencing the petitioner's land.

3.The petitioner would only seek police protection for surveying his land and to measure the same as per the revenue records, for which, the learned Government Advocate (Crl.Side) would state that based on the complaint of the petitioner though summons were issued to the 6th and 7th respondents, they did not appear for enquiry. Therefore, the 3rd respondent is directed to fix the date for surveying the petitioner's land and the surveyor shall give notice to the 6th and 7th respondents indicating the date of survey and also intimate the date of survey to the respondents 1 and 2. On the date of survey, the respondents 1 and 2 are directed to give police protection while surveying the petitioner's land.

With the above direction, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar(P & A)

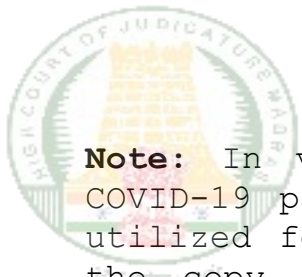
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/ /2020

Sub Assistant Registrar(CS)

bala/msa

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



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
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
- 3.The Assistant Director,
Land Survey,
Sivagangai District,
Sivagangai.
- 4.The Thasildar,
Singampunari Taluk,
Sivagangai District.
- 5.The Taluk Assistant Surveyor,
Singampunari Taluk,
Sivagangai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.PRABHA, Advocate (SR-21369[F] dated 06/11/2020)

ORDER MADE IN
W.P(MD)No.14373 of 2020
DATED : 04.11.2020

CK(CO)
TR(19.11.2020) 3P 8C