



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.03.2020

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

**W.P. (MD)No.13024 of 2016**

R.Senthilkumar

... Petitioner

vs.

1.The Superintendent of Police,  
Surveyor Colony, Madurai,  
Madurai District.

2.The Thasildar,  
Melur Taluk Office,  
Melur Taluk,  
Madurai District.

3.The Taluk Surveyor,  
Melur Taluk, Madurai.

4.The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to instruct the third respondent to survey and demarcate petitioner's house sites bearing Plot Nos.291, 292, 293, 298, 299 and 300 survey No.307/3 and also to direct the first respondent to instruct the fourth respondent to provide sufficient police protection at the time of surveying the land, based on the representation, dated 16.10.2015 submitted to the second respondent within the time frame that may be fixed by this Court.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.S.Chandrasekar  
Additional Public Prosecutor

**ORDER**

The petitioner herein had purchased property in S.No.307/2A1A, which has been assigned in New S.No.307/3 in Kidaripatti Village, Melur Taluk, Madurai District. He went to survey the land with Taluk Surveyor/3<sup>rd</sup> respondent, Melur, Village Administrative Officer and the Village Assistant and the land owner has objected and quarrelled with him. Hence, he seeks Mandamus directing the second respondent/Tahsildar to assist the third respondent/Taluk Surveyor



to survey and demarcate his property and direct the first respondent/Superintendent of Police to instruct the fourth respondent/Inspector of Police to provide sufficient police protection.

2.The learned Additional Public Prosecutor submit that if appropriate request comes from the second respondent/Tahsildar and the third respondent/Taluk Surveyor, the respondent police is ready to provide protection. In this case, there was no request from the officials for police protection.

3.Considering the rival submissions, this Court finds that if the petitioner has clear title and if he wants his property to be measured and demarcated, he can make appropriate application to the second respondent/Tahsildar for engaging the surveyor for measurement and on such application on payment of fee, the second respondent/Tahsildar and the third respondent/Taluk Surveyor shall take measurement. Subject to the satisfaction of the title of the petitioner, if the second respondent/Tahsildar decides to measure the lands and needs police protection, he shall make appropriate representation to the police and the police shall act upon his request.

4.With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar ( )

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/ /2020

Sub Assistant Registrar(CS)

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To

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Madurai District.

2.The Thasildar,  
Melur Taluk Office,  
Melur Taluk,  
Madurai District.

3.The Taluk Surveyor,  
Melur Taluk, Madurai.



4.The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.

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

+1 CC to M/s.R.MURUGAN, Advocate ( SR-11931[F] dated 16/03/2020 )

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PU(08/05/2020) 3P 7C