



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/12/2020

PRESENT

The Hon'ble Mr. Justice **G.K. ILANTHIRAIYAN**

W.P.(MD)No.19672 of 2017

and

W.M.P.(MD).No.18713 of 2017

Sujitha Rajan

: Petitioner

Vs.

1.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

2.The Taluk Head Surveyor,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

3. The Inspector of Police,
Kollemcode Police Station,
Kollemcode
Kanyakumari District.

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 conduct Survey of the petitioner's property in Re.Sy.No.651/6, 10, 11 of Kollemcode 'B' Village, Vilavancode Taluk, Kanyakumari District also direct the third respondent to give adequate protection for survey the land.

For Petitioner

: Mr.M.R.Sreenivasan

For Respondents

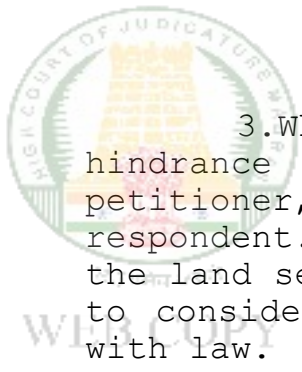
: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl. Side)

O R D E R

This Writ Petition has been filed seeking direction to the respondents 1 and 2 conduct Survey of the petitioner's property in Re.Sy.No.651/6, 10, 11 of Kollemcode 'B' Village, Vilavancode Taluk, Kanyakumari District also direct the third respondent to give adequate protection for survey the land.

2.It is seen that the petitioner has sent a representation to the third respondent to provide adequate police protection while surveying the land comprised in Re.Sy.No.651/6, 10, 11 of Kollemcode 'B' Village, Vilavancode Taluk, Kanyakumari District. The petitioner has paid a requisite fee to survey the property before the revenue officials. Till now, no surveyor is appointed by the revenue officials to survey the said property. If the petitioner's request for surveying the land was accepted by the revenue authorities, the concerned surveyor can survey the property as requested by the petitioner .



3.While surveying the land, if the Surveyor feels any hindrance of difficulty to survey the land belonging to the petitioner, he can very well seek police protection before the third respondent. If any complaint lodged by the Surveyor while surveying the land seeking police protection, the third respondent is directed to consider the same and pass orders on merits and in accordance with law.

4.With the above observation and direction, this writ petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsg

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 Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.
- 2.The Taluk Head Surveyor,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.
3. The Inspector of Police,
Kollemcode Police Station,
Kollemcode
Kanyakumari District.

+1CC to Mr.M.R.Sreenivasan, Advocate, SR.No.25024 dated 11/12/2020

W.P. (MD)No.19672 of 2017and

W.M.P. (MD) .No.18713 of 2017

10.12.2020

SSS (CO)

KB(19.01.2021) 2P 5C