



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

Date : 02/12/2020

PRESENT

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

W.P.(MD)No.21178 of 2017

and W.M.P. (MD) No.13036 of 2019

WEB COPY

Hajrath Khaja Syed Sulthan Allavudeen
Ayuliya Durgah and Masjith,
Rep. by its Manager,
Goripalayam,
Madurai 625 002

: Petitioner

Vs.

1. The District Revenue Officer,
Madurai (North),
Madurai District.
2. The Revenue Divisional Officer,
Madurai (North),
Madurai District.
3. The Tahsildar,
Madurai (North),
Madurai District.
4. The Taluk Surveyor,
Madurai (North),
Madurai District.
5. The Assistant Commissioner of Police,
Tallakulam, Madurai.
6. The Inspector of Police,
Tallakulam Police Station,
Madurai 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 5 and 6 to grant police protection to the respondents 3 and 4 to survey the property of the petitioner Durgah situated in Survey No.79/3 and 79/4 (Old Survey No.79/8) Thiruppalai Village, Madurai District.

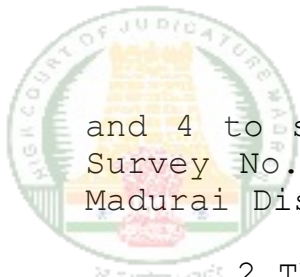
For Petitioner

: Mr.M.Kannan

For Respondents

: Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER



and 4 to survey the property of the petitioner Durgah situated in Survey No.79/3 and 79/4 (Old Survey No.79/8) Thiruppalai Village, Madurai District.

2.The petitioner seeks police protection to the respondents 3 and 4 to survey the property of the petitioner Durgah situated in Survey No.79/3 and 79/4 (Old Survey No.79/8) Thiruppalai Village, Madurai District. Now, almost three years have been lapsed and hence, due to the lapse of period, the prayer sought for by the petitioner cannot be granted now. However, the petitioner is at liberty to file a fresh complaint, on fresh cause of action, if so advised. On receipt of the same, the sixth respondent is directed to conduct detail enquiry after issuance of notice to the counter parties and pass orders on merits in accordance with law.

3.With the above observations, this writ petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

// 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 District Revenue Officer,
Madurai (North),
Madurai District.
2. The Revenue Divisional Officer,
Madurai (North),
Madurai District.
3. The Tahsildar,
Madurai (North),
Madurai District.
4. The Taluk Surveyor,
Madurai (North),
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5. The Assistant Commissioner of Police,
Tallakulam, Madurai.

6. The Inspector of Police,
Tallakulam Police Station,
Madurai District.

WEB COPY

+1CC to Mr. M.Kannan, Advocate, SR.No.91147 dated 03/12/2020

+1CC to Mr. R.Saravanan, Advocate, SR.No.23809 dated 03/12/2020

W.P. (MD) No.21178 of 2017
and

W.M.P. (MD) No.13036 of 2019
02.12.2020

SV2 (CO)

KB(19.01.2021) 3P 9C