



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.13672 of 2021

Mathayan

... Petitioner

Versus

1.The Superintendent of Police,
Office of Superintendent of Police,
Dharmapuri,
Dharmapuri District.

2.The Sub-Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

3.M.Anbazhagan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus direction, directing to the 1st and 2nd respondent to consider the petitioner's representation dated 05.03.2021 and provide adequate police protection against the 3rd respondent for measuring petitioner's property for selling the third party in Survey No.178/2C1, Dry Ext.Hect. 0.11.9 or Ac.0.29 cents in Palaympudur four road, Palayampudur Post, Dharmapuri Taluk & District.

For Petitioner : Mr.E.C.Ramesh
For R1 & R2 : Mr.E.Raj Thilak,
Additional Public Prosecutor
For R3 : Mr.D.Ramesh Kumar

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to consider the petitioner's representation, dated 05.03.2021 and provide adequate police protection against the 3rd respondent for measuring the property in Survey No.178/2C1, Dry Ext.Hect. 0.11.9 or Ac.0.29 cents in Palaympudur four road, Palayampudur Post, Dharmapuri Taluk & District.

2.The learned counsel for the petitioner submitted that the petitioner had sent a representation to the respondents 1 and 2



on 05.03.2021 and the same was forwarded to the Inspector of Police, Anti Land Grabbing Special Cell, Dharmapuri in C.No.G2/77/4652/2021. So far, no action has been taken on the complaint of the petitioner. In the meanwhile, the petitioner needs to survey and earmark the above mentioned property to safeguard the same.

3.The learned counsel for the 3rd respondent submitted that the petitioner is the none other than cousin of the 3rd respondent. They have inherited the family property, which are adjacent to each other. He further submitted that the 3rd respondent has got no objection for conducting survey of the property. The petitioner for obvious reasons has given a complaint to the respondents 1 and 2, which has now been forwarded to the Inspector of Police, Anti Land Grabbing Special Cell, Dharmapuri in C.No.G2/77/4652/2021. Due to which, the 3rd respondent is now unnecessarily harassed by the Police under the guise of enquiry. The learned counsel for the 3rd respondent on instructions submitted that the 3rd respondent will cooperate with the enquiry as well as for conducting survey of the property.

4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that enquiry is pending on the complaint forwarded to the Inspector of Police, Anti Land Grabbing Special Cell, Dharmapuri.

5.Considering the submissions made on either side, it is seen that the 3rd respondent has got no objection for surveying and earmarking the property. Hence, this Court directs the petitioner to produce necessary documents to the revenue officials for surveying and earmarking the property. If any protection needed by the revenue authorities, the same to be considered by the 2nd respondent and provide protection for the revenue and survey authorities to carry on with their official work.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

vv2

To

1.The Superintendent of Police,



Office of Superintendent of Police,
Dharmapuri,
Dharmapuri District.

2.The Sub-Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.D.Ramesh Kumar, Advocate, S.R.No.142 [27/04/2022]

W.P.No.13672 of 2021

KSM(CO)
CB(10/01/2022)