



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.14784 of 2021

Mrs.Saraswathi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Karumatham Patti,  
Sulur,  
Coimbatore District.

2.The Inspector of Police,  
Sulur Police, Station,  
Coimbatore District.

3.The Tahsildar,  
Sulur Taluk,  
Coimbatore District.

4.The Taluk Surveyor,  
Sulur Taluk,  
Coimbatore District.

... Respondents

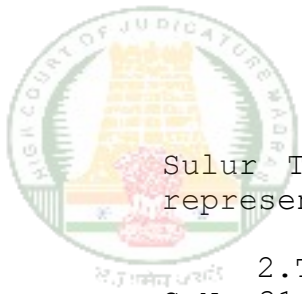
PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to provide necessary police protection to the fourth respondent to conduct survey on the petitioner's land having an extent of 2.98 acres comprised in S.No.31/2, Pappampatti Village, Sulur Taluk, Coimbatore District on the basis of petitioner's representation dated 05.07.2021.

For Petitioner : Mr.A.P.Sathyamoorthy

For Respondents : Mr.A.Damodaran,  
Government Advocate [Crl. Side]

O R D E R

This Writ Petition is filed directing the respondent Nos.1 and 2 to provide necessary police protection to the fourth respondent to conduct survey on the petitioner's land having an extent of 2.98 acres comprised in S.No.31/2, Pappampatti Village,



Sulur Taluk, Coimbatore District on the basis of petitioner's representation dated 05.07.2021.

2.The petitioner is the owner of the land comprised in S.No.31/2 to an extent of 2.98 acres in Pappampatti Village, Sulur Taluk, Coimbatore. This property was purchased by the petitioner's father in the year 1965, later he died in the year 1987, leaving behind the petitioner and her two sisters as his legal heirs. The above said property was in the joint possession of the petitioner and her two sisters and they are in joint and peaceful possession. In order to divide the above said property between the petitioner and her two sisters, they have approached the fourth respondent to survey the land. Neighbours to the property i.e. the adjacent land owners caused disturbance and hence the survey could not be conducted by the Tahsildar as well as the Surveyor. Hence the petitioner had submitted a representation dated 05.07.2021 to the respondent Nos.1 and 2 to provide necessary police protection to conduct survey on her land with the help of the fourth respondent i.e. the Taluk Surveyor. On the same day, the petitioner submitted an application to the third respondent seeking direction to conduct survey of her aforementioned land and he had also paid the Survey Fee. So far, no action taken. Hence the petition.

3.From the typed set of papers, it is seen that the petitioner's father had purchased the property under the Sale Deed in Doc.No.457 of 1965 and the petitioner's father died in the year 1987, leaving behind the petitioner and her two sisters as his legal heirs. They had obtained the legal heir certificate and thereafter Joint patta was issued in the name of the petitioner and her two sisters. Further there is no dispute or quarrel with regard to the ownership and possession of the property among the petitioner and her two sisters, only the neighbours objecting the same.

4.On the representation submitted by the petitioner, the Tahsildar, Sulur Taluk, Coimbatore District had verified the documents and revenue records and directed the petitioner to pay the Land Survey Fee and a challan has been issued. As per the direction of the Tahsildar, Sulur Taluk, Coimbatore District, the petitioner had paid the Land Survey Fee on 05.07.2021. The copy of the challan has been filed along with the typed set of papers. No survey could be conducted and the same is still pending. In view of the same, the petitioner had approached this Court for surveying her land with the aid of police, to avoid obstruction.

5.The learned Government Advocate (Crl. Side) submitted that the respondent police have got no objection to provide police protection and security to the Government Officials i.e. the Surveyor and the Revenue Officials, who intend to survey the land



and mark the same.

6. In view of the same, this Court directs the Tahsildar and the Taluk Surveyor to conduct survey on the land of the petitioner. While conducting survey, the second respondent police is directed to give protection to the Government Officials to carry out their assignment.

7. With the above directions, this Writ Petition stands disposed of. No Costs.

Sd/-  
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Superintendent of Police,  
Karumatham Patti,  
Sulur,  
Coimbatore District.

2. The Inspector of Police,  
Sulur Police, Station,  
Coimbatore District.

3. The Tahsildar,  
Sulur Taluk,  
Coimbatore District.

4. The Taluk Surveyor,  
Sulur Taluk,  
Coimbatore District.

5. The Public Prosecutor,  
High Court,  
Madras.

+1cc to Mr. A. P. Sathya Moorthy, Advocate, S.R.No.37014

W.P.No.14784 of 2021

SJ(CO)  
SB(05/08/2021)