



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.19428 OF 2021

V.P.Arunasalam

... Petitioner

..Vs..

1. The superintendent of Police,
Namakkal District, Namakkal.

2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the second respondent to consider the representation of the petitioner dated 21.08.2021 in accordance with law and give the police protection to measure the land in Patta No.652, survey No.171/6A situated at Kadachanallur Village, Kumarapalayam Taluk, Namakkal District to secure ends of justice.

For Petitioner : Mr.A.Ramesh

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

The writ petition has been filed to consider the representation dated 21.08.2021 and give police protection to measure the land in patta No.652, survey No.171/6A situated at Kadachanallur Village, Kumarapalayam Taluk, Namakkal District.

2.The contention of the learned counsel for the petitioner is that the petitioner had sent several representations and in one of his representations dated 27.07.2021 to the second respondent, he stated that beside his land, his Uncle, Aunt and Uncle's son are residing. Since the petitioner intended to sell his part of the lands, they objected the same, abusing and threatening him. For the past four years, he is unable to sell the land. He had made representation to various authorities and



finally, he made representation to the District Collector and the Thasildar, Kumarapalayam. The Thasildar, Kumrapalayam, after enquiring about the land with his officials, directed the land to be measured by the survey department. The petitioner had remitted challan amount for surveying the land in the bank on 10.10.2020 and the copy of the challan is also produced. Thereafter, the Thasildar on 22.02.2021 had issued notice to the petitioner to be present to survey the land on 28.07.2021. The same could not be surveyed because of the objection raised by his Uncle, Aunt and his Uncle's son, who are adjoining land owners. Thereafter, the petitioner had again sent a representation to the Chief Minister Cell, which was forwarded to the respondent followed by another representation to the second respondent on 21.08.2021. Further submits that the Revenue Officials are seeking Court order, so that, they can survey the land.

3.The Additional Public Prosecutor submits that the petitioner had sent representation and his representation was considered. It is for the revenue authorities to make compliant about any obstruction of officials. If such request is made by the revenue authorities, the second respondent police would provide adequate protection for the revenue authorities to carry out their official duty.

4.It is seen that the Thashildar, on verification, directed the petitioner to remit challan, which has been remitted by the petitioner. Challan has been produced, in which, seal of the bank, treasury as well as the Thasildar Kumarapalayam is available. Notice issued by Thasildar for surveying the land. In view of the same, the second respondent police is to provide security and protection to the petitioner for surveying the petitioner's land by the revenue authorities. The revenue authorities not to be obstructed to discharge their official duty. The respondent police are duty bound to protect the revenue officials.

5.With the above direction, the writ petition is disposed of. No costs

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sms



To

1. The superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

W.P.No.19428 of 2021

RSI (CO)
CS/27/10/2021