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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.26251 OF 2021

N.Satheesh Babu

...Petitioner

Versus

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Cuddalore.
- 2.The Assistant Superintendent of Police,
O/o. Assistant Superintendent of Police,
Panruti,
Cuddalore District.
- 3.The Sub Inspector of Police,
Pudupettai Police Station,
Panruti, Cuddalore.

4.K.Sivakumar

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India to direct the respondents 2 and 3 to provide necessary protection for survey the land in Survey No.163/1, 163/3 in Veeraperumanallur, Panruti Taluk, Cuddalore District.

For Petitioner : Mr. R.Baskar

For Respondents : Mr. R.Vinothraja,
Government Advocate (crl.side)
for R1 to R3

ORDER

This Writ Petition has been filed seeking a direction to give police protection to survey the land in Survey No.163/1, 163/3 in Veeraperumanallur, Panruti Taluk, Cuddalore District.

2. The learned counsel for the petitioner submitted that the petitioner has purchased one small pocket of land in Survey Nos.163/1 & 163/3 situates at Veeraperumanallur Village, Panruti Taluk, Cuddalore. Thereafter, he had approached the revenue



authorities for surveying the above said land and earmarking the boundaries. The Tahsildar, on verification of the documents and records, had given a Challan to the petitioner to pay the revenue fee. On payment of charges, the Taluk Deputy Surveyor along with revenue officials had come to survey the land, the neighbouring land owner, 4th respondent herein, who is claiming him to be a Branch Secretary of the ruling DMK political party, prevented the officials from surveying the land and also threatened the petitioner and his father. Hence, the petitioner gave a complaint to the respondent police. Though CSR No.755 of 2021 assigned, no action taken so far. Hence, the present petition.

3. The learned Government Advocate (crl.side), on instructions, submitted that on the complaint of the petitioner, CSR No.755 of 2021 has been assigned. The petitioner as well as the said Sivakumar and one Arjunan were called for enquiry and finding that, it is a civil in nature, the respondent police advised them to approach the Civil Court. Suppressing those facts, now the petitioner has come up with this petition making allegations as if the respondent police has not taken any action against his complaint.

4. This Court considered the submissions made on either side and perused the materials available on records carefully.

5. From perusal of the materials, it is seen that the petitioner had produced his title deeds and revenue records with regard to his land to the Tahsildar, Panruti. The Tahsildar found records to be in order and the property stands in the name of the petitioner's father, the petitioner is having legal rights. Thereafter, challan was issued for remittance for Survey and Settlement charges, for fixing the boundaries. Subsequently, on 05.11.2020, the Taluk Surveyor, Panruti issued notice to the Arjunan, Narasingam, Sivakumar, who are neighbouring land owners and copy of the same was also sent to the Village Administrative Officer, Veeraperumanallore and the Inspector of Police, Pudupettai. Even thereafter, survey was obstructed.

6. Considering the circumstances, the petitioner to approach the concerned officials with a representation to conduct survey along with relevant documents, with the copy of this order. The Inspector of Police, Pudupettai to provide necessary protection to survey the land after fixing the convenient date with the revenue officials. No person has got any right to obstruct public servant from discharging their duties. In case of any unreasonable obstructions, without any valid reason and orders from competent Court, if obstruction is made by, Narasingam, Archunan, Sivakumar, preventive and forcible action to be taken.



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7. With the above directions, this Writ Petition is disposed of.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

mrp

To

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Cuddalore.
- 2.The Assistant Superintendent of Police,
O/o. Assistant Superintendent of Police,
Panruti,
Cuddalore District.
- 3.The Inspector of Police,
Pudupettai Police Station,
Panruti, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.R.Baskar, Advocate SR.No.65431

W.P.No.26251 of 2021

CP(CO)
RVM(27/12/2021)