



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :26.07.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.17896 of 2020

J.Sahul Hameed

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukottai District,Pudukottai.

2.The Sub-Inspector of Police,
Nagudi Police Station,
Nagudi,Pudukottai District.

3.The Tahsildar,
Aranthangi, Pudukottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondent police to provide adequate police protection to the petitioner at the time of survey and measurement of land in Survey Number 338/1A ad-measuring 50 cents in Arasarkulam Melpathi Village, Arasarkulam Thenpathi Village Panchayat, Aranthangi, Pudukottai District by the survey officials in the light of the application dated 07.10.2020.

For Petitioner : Mr.N.Dilip Kumar

For Respondents : Mr.R.M.Anbunithi

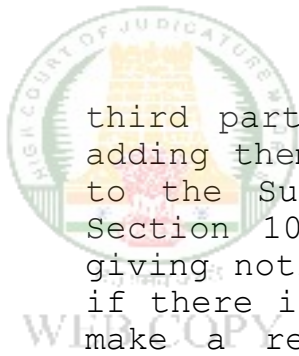
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the 1st and 2nd respondent Police to provide adequate police protection to the petitioner at the time of survey and measurement of land situated in Survey No.338/1A admeasuring 50 cents in Arasarkulam Melpathi Village, Arasarkulam Thenpathi Village Panchayat, Aranthangi, Pudukottai District by the survey officials in the light of the application dated 07.10.2020.

2. The learned counsel for the petitioner would submit that he is the owner of the property mentioned in the petition. When he proposed to measure the land after paying necessary fee, some third party has given trouble to the petitioner. On that ground, he made a representation, but, there was no action. Hence, this petition has been filed.

3. From the arguments advanced by the learned counsel appearing for the petitioner, it seen that some trouble has been made by the



third parties, who are not parties before this Court. Instead of adding them as parties in this petition, there shall be a direction to the Surveyor, Aranthangi to survey the land strictly as per Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923 by giving notice to all concerned parties. Depending upon the actions, if there is any trouble made by the third parties, the Surveyor can make a representation to the second respondent to give police protection. If any representation is made by the Surveyor, the second respondent is directed to consider the same and pass orders on merits and in accordance with law. The entire exercise shall be undertaken within a period of one month from the date of receipt of a copy of this Order.

4. With these directions, this Criminal Original Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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 Superintendent of Police,
Pudukottai District, Pudukottai.

2.The Sub-Inspector of Police,
Nagudi Police Station,
Nagudi, Pudukottai District.

3.The Tahsildar,
Aranthangi, Pudukottai District.

4.The Surveyor, Aranthangi,
Pudukottai District.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-23979[F] dated 27/07/2021)

W.P(MD)No.17896 of 2020

26.07.2021

RD(3.08.2021) 2P 6C