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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.2005 of 2022

S. Kathirvel

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Gummidipoondi Taluk,
Thiruvallur District.

2.The Sub-Inspector of Police,
F3, Arambakkam, Police Station,
Gummidipoondi 601 201.

3.Thasildar,
Gummidipoondi 601 201.

4.Mayakrishnan P

5.Maragadam

... Respondents

PRAYER: Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus or any other order, direction, writ in the nature of Writ of Mandamus, directing the 1st respondent to consider the representation on 07.09.2021 including request of the 3rd respondent dated 19.07.2021 and 05.08.2021 and forthwith grant protection for surveying laying boundary stones and fencing property of petitioner at Survey No.451/3E at Raakampalayam village, Melakazani Village, Gummidipoondi Taluk, Tiruvallur District admeasuring land about 10 cents of the property.

For Petitioner : Mr.S.Malarmannan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed seeking to direct the 1st respondent to consider the representation on 07.09.2021 including the request of the 3rd respondent dated 19.07.2021 and 05.08.2021 and forthwith grant protection for surveying,



laying boundary stones and fencing the property of the petitioner at Survey No.451/3E at Raakampalayam village, Melakazani Panchayat, Gummudipoondi Taluk, Tiruvallur District admeasuring land about 10 cents.

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2. Learned counsel appearing for the petitioner would submit that the petitioner's father one Swami Reddy is the owner of the property comprised in S.No.451/3E at Rakkampalayam Village, No.55 Mellakazhani Panchayat, Gummudipoondi Taluk, Thiruvallur District admeasuring land about 10 cents. The petitioner's father had purchased the property through a registered sale deed bearing Document No.3494 of 1968 on the file of SRO, Ponneri and thereafter, necessary mutations have also been carried out in the revenue records in favour of the petitioner's father.

3. Learned counsel would further submit that during May 2021, the petitioner had applied to the Thasildar to survey the land and for laying boundary stones and fencing the property, whereas, the respondents 4 and 5, who are having political clout entered into the petitioner's property and prevented the Officials from surveying the property. On the application made by the petitioner, the third respondent had sent the letters dated 19.07.2021 and 05.08.2021 to the first and second respondent seeking to provide adequate protection at the time of conducting survey and measuring. Despite the order, the respondents have not provided police protection and thereby, the present petition has been filed. He would further submit that there is no civil suit pending between the parties.

4. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the first and second respondent would submit that if a date is fixed by the Revenue Authorities, the respondents 1 and 2 are ready to give adequate police protection.

5. Recording the undertaking given by the learned Additional Public Prosecutor, direction is issued to the first and the second respondent to give adequate protection to the third respondent on the date fixed by the third respondent for surveying the property.

6. With the above observation, this Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



To

1.The Deputy Superintendent of Police,
Gummidipoondi Taluk,
Thiruvallur District.

2.The Sub-Inspector of Police,
F3, Arambakkam, Police Station,
Gummidipoondi 601 201.

3.The Thasildar,
Gummidipoondi 601 201.

4.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Malarmannan, Advocate SR. No.8286

W.P.No.2005 of 2022

PMK (CO)
PR (18/02/2022)