



W.P. No.25886 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

W.P.No.25886 of 2022

J. Paramanantham

... Petitioner

Vs

1. The Deputy Commissioner of Police
Kilpauk Police District,
Chennai City Police,
Kilpauk 600 010.
2. The Assistant Commissioner of Police
Kilpauk Police District,
Chennai City Police,
Kilpauk - 600 010.
3. The Inspector of Police,
G3 Kilpauk Police Station
Chennai City Police,
Kilpauk 600 010.
4. The Tahsildar
Purasaivakkam Taluk,
Periyamedu,
Chennai 600 010.
5. The Taluk Head Surveyor
Purasaivakkam Taluk,
Periyamedu,
Chennai 600 010.



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6. S. Suresh Kumar
Managing Director,
No.20(7), Sunderlal Nahatha Avenue,
Kilpauk, Chennai - 10.

7. Nandha

8. Anil Kumar J. Doshi

9. V.C.Damodharan

10. The Principal
Bharath Vidya Bhavan School,
Kilpauk, Chennai - 10.

....

Respondents

PRAAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 2 and 3 to provide adequate police protection for survey of the petitioner's property in S.No.3142 to an extent of 3343 Sq.fts situated at Purasaiwalkam village, Purasaiwalkam Taluk, Chennai district and also to provide protection for fencing his property based on the petitioner's written representation dated 22.08.2022.

For Petitioner : Mr.M.R.Jothimanian
For Respondents : Mr.S.Santhosh
Govt.Advocate (Crl.side) for R1 to R5

ORDER



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This writ petition has been filed to direct the respondents 2 and 3 to provide adequate police protection to survey the petitioner's property in S.No.3142 to an extent of 3343 Sq.fts situated at Purasaiwalkam village, Purasaiwalkam Taluk, Chennai District and also to provide protection for fencing his property based on the petitioner's written representation dated 22.08.2022.

2. The case of the petitioner is that during the year 2015, he sent a requisition to the third respondent to allot surveyor to survey his land of 3343 sq.ft. Further on 23.03.2016, he sent a written representation to the respondents requesting to survey his land but no action was initiated. Hence, the petitioner filed W.P.No.11974 of 2016. In the said writ petition this Court by an order dated 31.03.2016 directed the 4th respondent herein to consider the representation of the petitioner. In respect of the same, the respondents 4 & 5 visited the property on 26.05.2016 for surveying the petitioner's land wherein, the respondents 6, 7 and 8 interfered and restrained them. On 27.05.2016, the 4th respondent issued notice to the respondents 6, 7 & 8 seeking their written objections for surveying the petitioner's property, but the respondents did not



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file their written objection. Again, on 29.06.2016, the petitioner lodged a complaint seeking police protection before the third respondent but no response, hence the petitioner filed a petition in CrI.OP.No.14331 of 2016 before this Court and on 15.09.2021 this Court dismissed the petition with an observation that "If at all necessity arises for survey of the disputed land, the 2nd respondent may ensure protection to all concerned". During September 2021 - September 2022 the petitioner frequently approached the third respondent seeking police protection since the fourth respondent refuses to survey the property fearing the private respondents. On 22.08.2022 the petitioner again requested the third respondent in person for police protection to survey his property. Further the petitioner sent his written representation through email on 15.09.2022 to the respondents 1 to 3 requesting Police Protection to survey his property. Since there was no response, the petitioner had filed the present writ petition.

3. The learned Counsel appearing for the petitioner submitted that the second and third respondents may be directed to consider the petitioner's representation, dated 22.08.2022.



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4. The learned Government Advocate (Crl.Side) submitted that the petitioner's representation dated 22.08.2022 is available with the second respondent and that the second respondent is ready to consider the petitioner's representation.

5. Recording the same, the second and third respondents are directed to consider the petitioner's representation dated 22.08.2022, on merits and in accordance with law and provide adequate police protection while surveying the petitioner's property in S.No.3142 to an extent of 3343 sq.ft.s situated at Purasaiwalkam Village, Purasaiwalkam Taluk, Chennai district. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of. No costs.

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Index:Yes/No

Speaking/Non speaking order

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To

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Purasaivakkam Taluk,
Periyamedu,
Chennai 600 010.
5. The Taluk Head Surveyor
Purasaivakkam Taluk,
Periyamedu,
Chennai 600 010.
6. The Public Prosecutor,
High Court of Madras.



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V. SIVAGNANAM, J.
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