



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM

**THE HON'BLE MR.JUSTICE N.SATHISH KUMAR**

W.P.(MD) No.10002 of 2020

A.Ansari Begam

... Petitioner

-vs-

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

2.The Inspector of Police,  
Athirampattinam Police Station,  
Athirampattinam,  
Thanjavur District.

3.Syed Ibrahim

4.M.Mohammed Ameen

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to take action on the basis of the complaint dated 18.03.2020 which is pending in No.150/2020 and consequently direct the second respondent to remove the hoarding contains illegal content erected by the respondents 3 and 4.

|                |                                            |
|----------------|--------------------------------------------|
| For Petitioner | : Mr.D.R.Murugesan                         |
| For R1 & R2    | : Mr.M.Sakthi Kumar<br>Government Advocate |
| For R3 & R4    | : No appearance                            |

### **O R D E R**

The present writ petition has been filed by the petitioner seeking direction to direct the second respondent to take action on the basis of the complaint, dated 18.03.2020 and consequently direct the second respondent to remove the hoarding contains illegal content erected by the respondents 3 and 4.

2. It is the contention of the learned counsel for the petitioner that the third respondent has filed CrI.O.P(MD)No.13774 of 2019 for a direction to survey the land in S.No.132/2A measuring 0.50.0 ares of Athirampattinam Village, Pattukottai Taluk, Thanjavur District with the help of police claiming as if he is the



owner of entire extent of the property. This Court, by order dated 27.09.2019 directed the concerned police to give protection for surveying the land. Taking advantage of the said order, the respondents 3 & 4 have erected a hoarding contending that the third respondent is the owner of the property.

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3. The only grievance of the petitioner is that this Court by order, dated 27.09.2019 has directed the respondent police to provide police protection for surveying the land only, whereas, the respondents 4 & 5 erected the hoarding as if the third respondent is the owner of the land and the same is contrary to the order of this Court.

4. It is seen from the order dated 27.09.2019 that this Court directed the police to provide police protection for surveying the land only, but the respondents 3 & 4 have misused the said order saying that the third respondent is the owner of the land. No one can claim title over the property without establishing the right over the title in the manner known to law and they have to approach the concerned Civil Forum for establishing their rights.

5. Hence, this Court directs the second respondent to take action on the basis of the complaint, dated 18.03.2020.

6. This writ petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2. The Inspector of Police,  
Athirampattinam Police Station,  
Athirampattinam,  
Thanjavur District.

W.P. (MD) No.10002 of 2020  
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