



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.14939 of 2020

K.Ganapathy

...Petitioner

Vs.

1.The Superintendent of Police,
S.P. Office @ Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
Eathamozhy Police Station,
Eathamozhy,
Agastheeswaram Taluk,
Kanyakumari District.

3.The Tahsildhar,
Office of Tahsildhar,
Nagercoil,
Agastheeswaram Taluk,
Kanyakumari District.

4.Arumugam

5.Ramakrishnan

6.C.Veerappah

7.C.Iyaapalam

8.Ramachandran @ Thangadhurai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the second respondent to give proper police protection to the petitioner and the officers of the third respondent while measuring an area of 7 cents land comprised in re-survey No.865/7 of Dharmapuram South Village, Agastheeswaram Taluk, Kanyakumari District belonging to the petitioner and fixing the boundaries therein on the basis of the petitioner's representation, dated 28.09.2020.

For Petitioner	: Mrs.Ramya for Mr.S.Seenivasan
For R1 to R3	: Mr.A.Thiruvadi Kumar, Additional Public Prosecutor.
For R4 to R7	: S.C.Herold Sing
For R8	: No Appearance



ORDER

This Writ Petition is filed seeking a direction to the second respondent to give proper police protection to the petitioner and the officers of the third respondent while measuring an area of 7 cents land comprised in re-survey No.865/7 of Dharmapuram South Village, Agastheeswaram Taluk, Kanyakumari District belonging to the petitioner and fixing the boundaries therein on the basis of his representation, dated 28.09.2020.

2.The grievance of the petitioner is that the private respondents did not allow the petitioner to survey the property.

(*)3.From the affidavit, it is seen that there is no civil suit pending between the petitioner and the private respondents. This Court is of the view that no blanket directions can be granted.

4.Accordingly, this Writ Petition stands dismissed with liberty to the petitioner to file a proper suit under the Tamil Nadu Survey and Boundaries Act, 1923, for measuring the property. No costs.

Sd/-

Assistant Registrar(CS-III)

**(*)Corrected as per the order of this Court,
dated 22.02.2022 made in WP(MD).14939 of 2020.**

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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,
S.P. Office @ Nagercoil,
Kanyakumari District.



2.The Inspector of Police,
Eathamozhy Police Station,
Eathamozhy, Agastheeswaram Taluk,
Kanyakumari District.

3.The Tahsildhar,
Office of Tahsildhar,
Nagercoil,
Agastheeswaram Taluk,
Kanyakumari District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-5397[F] dated
10/02/2022)

W.P. (MD) No.14939 of 2020

09.02.2022

svn(CO)

TR(10.03.2022) 3P 5C