



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.20663 of 2021

Bose

..Petitioner

Vs

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
- 4.The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.
- 5.The Head Surveyor,
Ilayangudi Taluk,
Sivagangai District.

6.Chitra

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the fourth respondent to survey the land in S.No.808/11, situated at Salai Gramam Village, Ilayangudi Taluk, Sivagangai District and consequently to direct the third respondent to give Police protection during survey conducted by the fourth respondent on the basis of the Petitioner's representation,



dated 23.3.2020, within the time frame fixed by this Court.

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For Petitioner :Mr.K.Anbarasan

For Respondents:Ms.K.Christy The Boral
1,4 and 5 Addl.Govt.Pleader

For Respondents:Mr.B.Thanga Aravindh
2 and 3 Govt.Advocate(Crl.side)

For Respondent-6:Mr.A.Muralikumar

ORDER

The Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the fourth respondent to survey the land in S.No. 808/11, situated at Salai Gramam Village, Ilayangudi Taluk, Sivagangai District and consequently to direct the third respondent to give Police protection during survey conducted by the fourth respondent on the basis of the Petitioner's representation, dated 23.3.2020, within the time frame fixed by this Court.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The case of the Petitioner is that the Petitioner had purchased the prayer mentioned property on 7.5.2003 and the patta and chitta stands in his name. Whiles, the sixth respondent tried to encroach upon the Petitioner's property. Hence the Petitioner wanted to survey his land



and approached the fourth respondent for survey and demarcating, by paying the requisite fees. The same was objected to by the sixth respondent without any valid reason. The steps taken by the revenue officials in this regard also ended in vain. Hence the Petitioner submitted a representation on 23.3.2020 to the fourth respondent for survey and demarcating the above property and also the third respondent for necessary police protection during the conduct of survey. Since the same was not done till date by the respondents 3 and 4, the Petitioner has come forward with this Writ Petition for the relief stated supra.

4. The learned Additional Government Pleaders appearing for the respondents 1 to 5 would submit that the Petitioner's representation will be considered and appropriate orders will be passed within the time limit specified by this Court.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the fourth respondent to consider the representation, dated 23.3.2020 submitted by the Petitioner for surveying and demarcating the prayer mentioned property, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if there is any objection or resistance from the sixth respondent or any body else, the third



respondent/Police is directed to look into the same and provide necessary police protection, if needed, for the abovesaid purpose, on payment of necessary charges by the Petitioner.

6. With the above directions, the Writ Petition stands disposed of. No costs.

22.11.2022

Index : Yes/No

Internet: Yes/No

vsn

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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN

W.P(MD)No.20663 of 2021

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