



WEB COPY



W.P(MD)No.25

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25281 of 2022

V.Indian

... Petitioner

Vs

1.The Tahsildar,
Bodi Taluk,
Theni District.

2.The Inspector of Police,
P.C.Patti Police Station,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land in S.F.No.680/2A in Patta No.4905 measuring about 34.5 cents situate in kodangipatti Village, Bodi Taluk, Theni Distirct along with police protection provided by the 2nd respondent.

For Petitioner : Mr.P.Saravanan

For R1 : Mr.A.Kannan.
Additional Government Pleader

For R2 : Mr.B.Thanga Aravindh,
Government Advocate



W.P(MD)No.25.

ORDER

WEB COPY

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to survey the petitioner's land in S.F.No.680/2A in Patta No.4905 measuring about 34.5 cents situate in kodangipatti Village, Bodi Taluk, Theni Distirct along with police protection provided by the 2nd respondent.

2.Heard Mr.P.Saravanan, learned counsel appearing for the petitioner, Mr.A.Kannan, learned Additional Government Pleader appearing for the first respondent and Mr.B.Thanga Aravindh, learned Government Advocate appearing for the second respondent.

3.The learned counsel appearing for the petitioner would submit that the petitioner has owned the land in S.F.No.680/2A in Patta No.4905 measuring about 34.5 cents situate in Kodangipatti Village, Bodi Taluk, Theni District and the same was registered in Sub-Registrar Office, Theni on 24.07.2017 in Doc.No.4028/2017. He applied a petition for surveying the above said land to the Treasury after remitting proper charges on 18.04.2022 and obtained a receipt. In these circumstances, on knowing the remittance of charges to survey his land, one Kalaimani son of Santhanam residing at Kodangipatti Village, Bodi Taluk, Theni District is giving hindrance from



W.P(MD)No.25.

surveying his own land and threatening him with filthy language. Hence, he could not survey his above said land.

WEB COPY

4. He would further submit that due to threat given by the above said Kalaimani, he made a representation to the respondents, dated 24.09.2022 along with necessary enclosures. But no action was taken. Hence, the petitioner has filed the present writ petition.

5.The learned Additional Government Pleader appearing for the first respondent would submits that appropriate direction may be given to the respondents to consider the petitioner's representation, dated 24.09.2022, in accordance with law, within a time frame.

6.Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the first respondent to survey the petitioner's land in S.F.No.680/2A in Patta No.4905 measuring about 34.5 cents situate in Kodangipatti Village, Bodi Taluk, Theni District, within a period of eight weeks from the date of receipt of a copy of this order. If necessary, the second respondent shall give police protection. If any third party claim arises, that can be decided only after surveying the land and it cannot be decided at this juncture.



W.P(MD)No.25.

7.This Writ Petition stands disposed of with the above directions. No costs.

WEB COPY

09.11.2022

Index : Yes/No
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To

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Bodi Taluk,
Theni District.

2.The Inspector of Police,
P.C.Patti Police Station,
Theni District.



WEB COPY



W.P(MD)No.25

V.BHAVANI SUBBAROYAN, J.

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