



WP(MD)N.26679 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26679 of 2022

V.Gowri

... Petitioner

Vs

- 1.The Tahsildar,
Office of Taluk Office (west),
Trichy District.
- 2.The Surveyor,
Office of Surveyor Office,
Ponmalai Sub Division,
Trichy District.
- 3.The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.
- 4.The Inspector of Police,
Edamalaipatty Pudur,
Trichy District.
- 5.Madurai Veeran
6.Dhandayuthapani

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent direct to the second respondent to survey and measure the petitioner's property comprised in survey No.142/7 measuring an extent of 0.03.5 cents 38/1



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measuring an extent of 1.05 cents situated at Pirattuyur East, Srirangam Taluk, Trichy District and consequently 3rd and 4th respondent herein to provide adequate police protection to property on the basis of consider the petitioner's representation dated 07.11.2022 within the time stipulated by this Court.

For Petitioner :Mr.J.Vishnu
For Respondents: Mr.A.Kannan (for R1 & R2)
Additional Government Pleader
Mr.B.Thanga Aravindh (for R3 & R4)
Government Advocate (Crl.side)

ORDER

This petition has been filed by the petitioner to survey and measure his property comprised in survey No.142/7 measuring to an extent of 0.03.5 cents 38/1 measuring an extent of 1.05 cents situated at Pirattuyur East, Srirangam Taluk, Trichy District and consequently to direct the respondents 3 and 4 to provide adequate police protection to property on the basis of consider the petitioner's representation dated 07.11.2022 within the time stipulated by this Court.

2.By consent of both sides, this petition is taken up for final disposal at the admission stage itself.

3.The petitioner, having general power deed in No.412/2007 in respect of Survey No.142/7 measuring to an extent of 0.04.0 ares, Survey No.142/8



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measuring to an extent of 0.03.5 ares and Survey No.38/1 measuring to an extent of 1.05 ares from Motaiyammal @ Chellammal, Periyannan, Vaithi nad one Vasanth, chosen to survey and measure the said property. But, whenever the second respondent entered into the said land to survey, the respondents 5 and 6 are preventing him to do so and also they threatened the petitioner by using filthy language. Hence, the petitioner had approached the respondents 3 and 4 to provide police protection. Till date, no steps have been taken. Thereafter, the petitioner has sent a representation dated 07.11.2022 to the respondents 1 to 4 to survey her land and also to give a police protection. They did not turn. Hence, the petitioner approached this Court with the aforesaid prayer.

4.The learned Special Government Pleader appearing for the respondents submits that the representation of the petitioner would be considered in accordance with law within a stipulated time.

5.Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into merits of the case, directs the respondents 1 & 2 to consider the representation of the petitioner, dated 07.11.2022, after issuing



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notice to the petitioner, respondents 5 and 6 and any other interested parties, who may be interested in the subject property and conduct survey in their presence and demarcate the petitioner's land in accordance with law and communicate the decision taken to the petitioner and others concerned. Such an exercise shall be completed within a period of sixteen (16) weeks from the date of receipt of a copy of this order. If required, the respondents 1 and 2 shall seek assistance of the fourth respondent for the purpose of conducting survey and demarcation of the petitioner's land. However, the petitioner is directed to pay all the necessary charges to the official respondents.

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

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Index : Yes/No

Internet: Yes/No

Rmk



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V.BHAVANI SUBBAROYAN,J.,

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