



Writ Petition No.20324 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.20324 of 2023

Mari,
W/o.Kullu gounder.

...Petitioner

Vs

- 1.The Thasildar,
Thandarampettu.
- 2.The District Superintendent of Police,
District Police office,
Venkikal,
Thiruvannamalai District.
- 3.The District Deputy Superintendent of Police,
Deputy super indent office,
Thiruvannamalai District.
- 4.The Sub Inspector,
Thanipadi Police Station.
- 5.Arul,
S/o.Murugan.
- 6.Arivalagan,
S/o.Murugan.



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7.Periapapa,
W/o.Murugan.

... Respondents

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to survey petitioner's agricultural land situated at Thiruvannamalai district, Mothagal village, S.No.149/8, AYAN PUNJA which is total extent of 3.00 Acres, with police aid.

For Petitioner : Mr.M.Jaisingh

For Respondent : Mr.A.Damodaran,

Additional Public Prosecutor

ORDER

This writ petition has been filed for a direction to the respondent police to grant police protection to the petitioner in order to enable the petitioner to conduct a survey in the subject property.

2. Heard Mr.M.Jaisingh, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public



Prosecutor appearing for the respondents.

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3. The grievance of the petitioner is that the private respondents are not allowing the survey of the subject property and they have gone to the extent of threatening the revenue officials. Hence, the petitioner requires police protection for the purpose of conducting the survey.

4. In the considered view of this Court, the private respondents are preventing the petitioner from enjoying her property and is not allowing the petitioner to survey the property. Under such circumstances, it is always left open to the petitioner to approach the Civil Court and seek for an order of injunction against the private respondents. Once such order of interim injunction is granted by the Civil Court, it will always be open to the petitioner to conduct the survey and if required with police protection. Without resorting to this procedure, it will not be proper to involve the police straight away in a case touching upon a property right.



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5. This writ petition is disposed of in the above terms. No costs.

11.07.2023

Index : Yes/No
Speaking order:Yes/No
Neutral citation:Yes/No
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To

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- 2.The District Superintendent of Police,
District Police office,
Venkikal,
Thiruvannamalai District.
- 3.The District Deputy Superintendent of Police,
Deputy super indent office,
Thiruvannamalai District.
- 4.The Sub Inspector,
Thanipadi Police Station.
5. The Public Prosecutor,
High Court, Madras



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