



WEB COPY



W.P.No.13482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13482 of 2024

M.V. Balasubramaniam

.. Petitioner

Vs

1. The Inspector of Police
Thammampatti Police Station
Attur Main Road
Thammampatti
Salem District

2. The Tahsildar
Gengavalli
Salem District

3. R. Balasubramanian

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to give police protection from the third respondent and his men at the time when survey is conducted by the second respondent to measure and demarcate the petitioner's property in Natham Patta No.655, measuring 0.574 sq. mtr. comprised in S.No.543/38 in Thammampatti Village, Gengavalli Taluk, Salem District, by considering the petitioner's complaint dated 26.02.2024.

For Petitioner

Mr. R. Jayaprakash

For R1

Mr. S. Sugendran

Additional Public Prosecutor

For R2

Mr. S. Jayachandran

Government Advocate



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ORDER

This writ petition has been filed for a direction to the 1st respondent to give police protection to the 2nd respondent for conducting survey of the petitioner's property, based on his representation dated 26.02.2024.

2. Heard the learned counsel for the petitioner, learned Additional Public Prosecutor and the learned Government Advocate, appearing for the respondents 1 and 2 and perused the materials available on record.

3. According to the petitioner, he is the absolute owner of the subject property. However, the 3rd respondent is causing disturbance to the petitioner, even to survey the subject property. Hence, he filed the present writ petition seeking the aforesaid relief.

4. In such view of the matter, this Court cannot grant a direction to the 2nd respondent to give police protection to the 3rd respondent for conducting survey of the petitioner's property, exercising its power either



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under Article 226 of the Constitution of India or under Section 482

Cr.P.C. It is for the petitioner to file an appropriate petition before the

Court concerned under the Tamil Nadu Survey and Boundaries Act, 1923

and seek survey with the aid of an Advocate Commissioner.

With the above observation, this writ petition stands dismissed.

No costs.

05.06.2024

gya

Index : Yes/No

Neutral Citation : Yes/No

To

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N.SATHISH KUMAR, J.

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