



W.P.No.10232 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:24.06.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.10232 of 2024

Velmurugan

.. Petitioner

/versus/

1.The District Collector,
Cuddalore District,
Cuddalore.

2.Superintendent of Police,
Cuddalore District,
Cuddalore.

3.Deputy Superintendent of Police,
Neyveli Division,
Vadakithu,
Cuddalore District.

4.Tahsildar,
Virudhachalam Taluk,
Cuddalore District.

5.Additional Director of Land Survey,
Cuddalore District,
Cuddalore.



W.P.No.10232 of 2024

WEB COPY

6. Inspector of Police,
Mandarakuppam Police Station,
Cuddalore (Dt.)

7.S.Rajeshwari

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 2,3 & 6 to give necessary force of police protection to survey petitioner property comprised in S.No.172/21 to an extent of 125 sq.metres situated at Kottgam Village, Virudhachalam (Tk.), Cuddalore (DT) and to fix the boundaries so as to fence the property, by considering his representation dated 29.01.2024 and also the recommendation of the 4th respondent in his proceedings 19.01.2024, 31.01.2024, 27.02.2024, on any of the postdate fixed by the 3rd respondent.

For Petitioner :Mr.V.Neethidurai

For Respondent :Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)
for R1 to R6

No appearance for R7

ORDER

The petitioner herein, who wanted to survey his land and fix the boundaries is unable to do so, inspite of all his efforts, since the 7th



W.P.No.10232 of 2024

respondent is unnecessarily protesting and preventing the revenue officials from measuring the land. Hence, he is before this Court.

2. After notice, the 7th respondent entered appearance through her counsel and took time to file counter. When the matter is listed today, there is no representation for the 7th respondent.

3. The learned Government Advocate (Crl.Side) appearing for the respondents states that the revenue officials are ready to measure the land if the Tahsildar or Surveyor makes his request to provide police protection. Earlier, when the Tahsildar made a request for police protection while measuring the land, which was proposed to be done on 27.03.2024, the police was ready to provide protection, but the 7th respondent protested by pouring kerosene all over her body and threatened to self immolation. To avoid unwanted controversies, the police force had withdrawn. To ascertain whether the 7th respondent has any semblance of right over the property, notice was issued. Even after affording opportunity to file the counter, no counter was filed on behalf of



W.P.No.10232 of 2024

the 7th respondent. Whereas, from the counter filed by the first respondent police, it is clear that as per the revenue records, the property is owned by the petitioner and he has right to protect his land by putting a fence. For the said purpose, when the revenue officials had gone to the field for measuring, the 7th respondent restrained them from carrying out their work.

4. In such circumstances, this Court is of the view that the prayer sought for in this writ petition has to be considered positively. Accordingly, the Writ Petition is allowed with a direction to the respondents police 2 , 3 and 6 to provide necessary assistance to survey the property comprising of S.No.172/21 to an extent of 125 sq.ft situated at Kottagam Village, Virudhachalam Taluk, Cuddalore District and fix the boundary and fence the property as per the measurement. The revenue authorities shall measure the land as per the title document of the petitioner.



W.P.No.10232 of 2024

WEB COPY

5. With the above direction, this Writ Petition is allowed. No costs.

24.06.2024

Index:yes/no

Speaking order:yes/no

Neutral citation:yes/no
ari

To:

- 1.The District Collector, Cuddalore District, Cuddalore.
- 2.Superintendent of Police, Cuddalore District, Cuddalore.
- 3.Deputy Superintendent of Police, Neyveli Division, Vadakithu, Cuddalore District.
- 4.Tahsildar, Virudhachalam Taluk, Cuddalore District.
- 5.Additional Director of Land Survey, Cuddalore District, Cuddalore.
- 6.Inspector of Police, Mandarakuppam Police Station, Cuddalore (Dt.)
- 7.The Public Prosecutor, High Court, Madras.



WEB COPY



W.P.No.10232 of 2024

DR.G.JAYACHANDRAN,

ari

W.P.No.10232 of 2024

24.06.2024