



W.P.No.14906 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:24.06.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.14906 of 2024

Dhilli Babu

.. Petitioner

/versus/

1.The Commissioner of Police,
Commissioner Office Aavadi,
Chennai 54.

2.The Inspector of Police,
T-3, Korattur Police Station,
Korattur, Chennai 600 076.

3.The Tahsildar,
Tahsildar Office,
Ambattur Taluk,
Chennai 53.

4.The Surveyor,
Ambattur Taluk,
Chennai.

5.N.Mohan

.. Respondents



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Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 to 4 to provide police protection to survey the land and to construct compound wall in the petitioner's land in S.No.354 Part situated at Ward E, Block No.36, T.S.No.183/2 and 183/3 in Korattur Village, Ambattur Taluk, Chennai.

For Petitioner :Mr.S.Praveennath

For Respondent :Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)
for R1 to R4

Mr.M.Dhivakar for R5

ORDER

The petitioner herein claims to be the owner of Town Survey Nos.183/2 and 183/3 in Korattur Village, Ambattur Taluk, Chennai. While he attempted to fence his land, the 5th respondent, who claims to be the owner of the neighbouring land bearing S.Nos.183/2 and 183/3, prevented the Surveyor from measuring the land and therefore he is before this Court by this petition seeking police protection for demarcation and fencing his land.



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2. On notice, the 5th respondent appeared through his counsel and submitted that the property belongs to the petitioner bearing Old S.No.358 and the revenue officials, who are assailing with the petitioner herein are trying to measure his land and take away the land annexed with the land of the petitioner.

3. The learned counsel appearing for the petitioner submitted that the objection of the 5th respondent is ill found. Infact, the Tahsildar of Ambattur, had inspected the field with the revenue records on 21.04.2023. On verification of the records, he found that the property of the 5th respondent, which falls under the old survey No.358 has now been subdivided and renumbered as 182/2. Whereas the petitioner's land, which falls under the old S.No.354 now been classified as No.183/2 and 183/3. The FM Sketch has also been annexed along with his report and the same has been submitted to the parties. In spite of the said clear demarcation of land and identification of the survey numbers, the 5th respondent is obstructing to survey of the land as per the revenue records. When there is no other rival claim over the property of the petitioner, the



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5th respondent can have no serious objection for the surveyor measuring the field and fix the boundary. Therefore, if any request is made by the Surveyor for police protection to measure the land of the petitioner, the same may be provided.

4. 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

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To:

- 1.The Commissioner of Police, Commissioner Office Aavadi, Chennai 54.
- 2.The Inspector of Police, T-3, Korattur Police Station, Korattur, Chennai 600 076.
- 3.The Tahsildar, Tahsildar Office, Ambattur Taluk, Chennai 53.
- 4.The Surveyor, Ambattur Taluk, Chennai.
- 5.The Public Prosecutor, High Court, Madras.

DR.G.JAYACHANDRAN,



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