



W.P.(MD) No.2771 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.03.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.2771 of 2024

Periyakkal

... Petitioner

/vs./

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Musiri,
Tiruchirappalli District.

2.The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Tiruchirappalli District.

3.The Tahsildar,
Taluk Office,
Thottiyam Taluk,
Tiruchirappalli District.

4.Firka Surveyor,
Office at Taluk Office,
Thottiyam Taluk,
Tiruchirappalli District.

5.Alagesan

6.Ranjitham

7.Subramanian

8.Malar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for
<https://www.mhc.tn.gov.in/judis>



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issuance of Writ of Mandamus, directing the second Respondent namely Inspector of Police, Thottiyam Police Station, Tiruchirappalli District to provide Police protection to the life and limb of the Petitioner and for measuring the property in Natham Survey No.433/51 Hectare 0.01.56.0 Ares 156 Sq.Meter in Patta No.2066 situated at Bagawathy Amman Koil Street, Kottaimedu, Thottiyam Village and Taluk, Tiruchirappalli District.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R-1 to R-4 : Mr.B.Thanga Aravindh

Government Advocate (Criminal Side)

(*)For R-5 to R-8 : Mr.T.Dhamotharan

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition for issuance of Writ of Mandamus, seeking direction against the Respondent Police to provide Police protection to the life and limb of the Petitioner and for measuring the property in Natham Survey No.433/51 Hectare 0.01.56.0 Ares 156 Sq.Meter in Patta No.2066 situated at Bagawathy Amman Koil Street, Kottaimedu, Thottiyam Village and Taluk, Tiruchirappalli District.

2. The Tahsildar, Thottiyam Taluk, Tiruchirappalli had addressed the Police officials seeking protection for the Firka Surveyor and the Revenue Officials under the Tahsildar, Thottiyam Taluk, based on the report of the Revenue Inspector. Under those circumstances, when the Revenue and the Survey officials visited the place of dispute to measure the properties and when they sought documents from the rival parties, the rival parties did not furnish the documents and objected to measure the properties. Since the private Respondents herein in this petition had



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objected to survey the properties, with an aid of revenue records the objection of the private Respondents cannot be accepted.

3. In the light of the communication of the Tahsildar to the Police officials seeking protection for the Revenue and the Survey officials, the Police officers are duty bound to protect the Revenue and the Survey officials. The Respondents 1 and 2 are directed to extend the Police protection to the officials of the Revenue as well as the Survey Department to measure the properties. If the private Respondents have any documents in support of their claim, they can furnish the same. In the absence of documents, the survey can be done by the availability of the documents with the Petitioner and the Tahsildar. The Tahsildar, as an Executive Magistrate can order protection for his officials.

4. With the above direction, this Writ Petition is disposed of. No costs.

(*)Corrected as per the order of this Court dated.28.03.2024.

Sd/-

Assistant Registrar()

// True Copy //

/04/2024

Sub Assistant Registrar
(CS-I/II/III/IV)

Nsr

TO:

<https://www.mhc.tn.gov.in/judis>



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Thottiyam Taluk,
Tiruchirappalli District.

4.Firka Surveyor,
Office at Taluk Office,
Thottiyam Taluk,
Tiruchirappalli District.

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate (SR-13349[F] dated 19/03/2024)

Order made in
W.P.(MD)No.2771 of 2024
Dated:19.03.2024

SI-(05.04.2024) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.