



W.P(MD)No.18030 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18030 of 2023

and

W.M.P.(MD)No.15049 of 2023

Mohammed Kuthubudeen

... Petitioner

Vs.

1.The Tahsildar,
Office of Taluk Office,
Rameshwaram Taluk,
Ramanathapuram District.

2.The Surveyor,
Office of Surveyor Office,
Rameshwaram,
Ramanathapuram District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

4.The Inspector of Police,
Pamban Police Station,
Ramanathapuram District.

5.Arul Father.Sesu Jayaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.1



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to survey and measure the petitioner property comprised in Survey No.978/1 measuring an extent of 0.36.00 Ares and Survey No.978/3 measuring an extent of 0.16.50 Ares situated at Pamban Village, Pamban Gorup, Rameshwaram Taluk, Ramanathapuram District and consequently 3rd and 4th respondents herein to provide adequate police protection to property on the basis of the consider the petitioner representation dated 24.07.2023 within a time stipulated by this Court.

For Petitioner : Mr.J.Vishnu

For Respondents : Mr.T.Villavankotahi,
Addl. Government Pleader for R1 & R2.
Mr.Albert James,
Govt. Advocate (Crl. Side) for R3 & R4.
No appearance for R5.

ORDER

Heard the learned counsel for the writ petitioner, the learned Additional Government Pleader for the respondents 1 and 2 and the learned Government Advocate (Crl. Side) for the respondents 3 and 4. There is no appearance on the side of the fifth respondent.

2.The petitioner seeks survey to be conducted. The prayer is innocuous. This Court was about to pass the usual order containing the standard directions.



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The learned Additional Government Pleader submitted that the petitioner has no *locus standi*. This submission is correct. The petitioner claims that he is a power of attorney holder. It is seen that the property stood in the name of as many as five persons. Among the joint pattadars, the name of one Sulaiga Ammal Nachiyar is figuring first. She is said to be no more. The petitioner is not able to show that all the legal heirs of Sulaiga Ammal Nachiyar had executed power of attorney in his favour. In fact, the legal heirs certificate of Sulaiga Ammal Nachiyar has also not been enclosed. This writ petition is dismissed for the present. The petitioner can move this Court with materials to substantiate that all the pattadars or their legal heirs have given power to the petitioner.

3. With this liberty to the petitioner, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



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G.R.SWAMINATHAN, J.

ias

To:-

- 1.The Tahsildar,
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Rameshwaram Taluk,
Ramanathapuram District.
- 2.The Surveyor,
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