



W.P.(MD)No.24660 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.24660 of 2024

Stephen

...Petitioner

Vs.

1.State of Tamil Nadu represented by
The Superintendent of Police,
Kanyakumari, at Nagercoil,
Kanyakumari District.

2.The Tahsildar,
Killiyoor,
Kanyakumari District.

3.The Inspector of Police,
Karungal,
Kanyakumari District.

4.The Sub Inspector of Police,
Karungal,
Kanyakumari District.

5.Kumar @ Vijayakumar

6.Selvan

... Respondents



W.P(MD)No.24660 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1, 3 and 4 to give necessary police protection for the survey of and fixation of boundaries of the petitioner's property of 2 cents (0.81 are) in re-survey No.234/9C, correlating to old Survey No.3429 of Mullanginavilai village (former Killiyoor village), Killiyoor Taluk, Kanyakumari District, by the second respondent and his subordinates, men and servants.

For Petitioner : Mr.K.N.Thampi

For R1 & R4 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The Writ Petition has been filed seeking orders to direct the respondents 1, 3 and 4 to give necessary police protection for the survey of and fixation of boundaries of the writ petitioner's property of 2 cents (0.81 are) in re-survey No.234/9C, correlating to old Survey No.3429 of Mullanginavilai village (former Killiyoor village), Killiyoor Taluk, Kanyakumari District, by the second respondent and his subordinates, men and servants.



W.P(MD)No.24660 of 2024

WEB COPY

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 to 4. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the writ petitioner would submit that the Tahsildar has earlier directed the respondent police to give police protection and the same was followed by the order of the Sub Collector but even then, the respondent police has not given any police protection.

4. The learned Additional Public Prosecutor appearing for the respondents 1 to 4 would submit that as per the order of the Tahsildar, the respondent police attempted to give police protection for survey but the private respondents have raised objections and obstructed for conducting survey. He would further submit that the complaint given by the writ petitioner is pending before the third respondent.

5. Considering the above, the third respondent is directed to issue notice to the writ petitioner as well as to the private respondents and



W.P(MD)No.24660 of 2024

WEB COPY

conduct enquiry and take a decision within a period of ten days from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

21.10.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

- 1.The Superintendent of Police,
Kanyakumari, at Nagercoil,
Kanyakumari District.
- 2.The Tahsildar,
Killiyoor,
Kanyakumari District.
- 3.The Inspector of Police,
Karungal,
Kanyakumari District.
- 4.The Sub Inspector of Police,
Karungal,
Kanyakumari District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.24660 of 2024



WEB COPY



W.P(MD)No.24660 of 2024

K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.24660 of 2024

Dated : 21.10.2024