



W.P.(MD)No.30124 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2024

CORAM :

THE HONOURABLE MR.JUSTICE M. NIRMAL KUMAR

W.P.(MD)No.30124 of 2024

S.Mohideen Thaha

...Petitioner

Vs.

1. The Superintendent of Police
Pudukottai District
Pudukottai

2. The Sub Inspector of Police
Aranthangi Police Station
Pudukottai District

3. Beer Mohamed

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to provide adequate police protection to carry out the survey, measurement and demarcation of boundaries of the petitioner's properties in comprised in New Survey Nos. 7/14 and 7/17 extent of 44.14 cents and 7.95 cents situated at the 4th plot, D ward, Aranthangi Town as per the order passed by the first respondent dated 13.11.2024, by considering the representation dated 19.11.2024



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For Petitioner : Mr.D.Yogeshwar
For Respondents : Mr.A.Thiruvadikumar
No.1 and 2 Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the second respondent to provide adequate police protection to carry out the survey, measurement and demarcation of boundaries of the petitioner's properties in comprised in New Survey Nos. 7/14 and 7/17 extent of 44.14 cents and 7.95 cents situated at the 4th plot, D ward, Aranthangi Town as per the order passed by the first respondent dated 13.11.2024, by considering the representation dated 19.11.2024

2. The petitioner who succeeded in the civil suit against his brother/3rd respondent subsequent to the decree in favour of the petitioner approached the Tahsildar and paid necessary fees for surveying the land. The Tahsildar had give notice to Arunagiri, Mohideen Dhaka and Beer Mohamed. Thereafter on 19.11.2024 on the direction of the Superintendent of Police, the Inspector of Police, Aranthangi had gone to the spot on 19.11.2024 along with one Sub Inspector and two police constable but the third respondent without any authority had



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collected thirty persons and had obstructed the survey, hence the petition.

3. The learned Additional Public Prosecutor submitted that notice has been given and objection has been raised. Hence the police with additional strength would give protection provided that the petitioner gets order from the Tahsildar the date and time of inspection . The petitioner to appear before the Tahsildar pay necessary fees if required and thereafter to get the date and inform the police and thereafter the Inspector of Police, Aranthangi Police Station to give adequate protection in the event of any unreasonable obstruction by the third respondent or any others appropriate action to be taken including the use of force.

4. With the above directions, this Writ Petition stands disposed of.

No Costs.

13.12.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

1. The Superintendent of Police
Pudukottai District
Pudukottai
2. The Sub Inspector of Police
Aranthangi Police Station
Pudukottai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M. NIRMAL KUMAR, J

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