



WP(MD)No28407 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.01.2024**

CORAM:

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

W.P.(MD) No.28407 of 2023

P.Palanivel

... Petitioner

/vs./

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Boolankurinji Police Station,
Thiruppathur Taluk,
Sivagangai District.

3.P.Muthulakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to provide police protection at the time of conduct survey in the petitioner's land in Survey No. 314/1, which is situated at Athirampatti Village, Thirukolagudi group, Thirupathur Taluk, Sivagangai district on the basis of the petitioner's representation dated 30.08.2023.



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For Petitioner : Mr.M.Saravana Kumar

For R1 & R2 : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

This Writ Petition is filed to direct the Respondents 1 and 2 to provide police protection at the time of conducting survey in the Petitioner's land in S.No. 314/1 situated at Athirampatti Village, Thirukolakgudi group, Thirupathur Taluk, Sivagangai District on the basis of the Petitioner's representation dated 30.08.2023.

2.The learned counsel for the Petitioner seeks police protection to measure the property. As per his submission, the Petitioner had filed a petition before the Authorities concerned and when they came to measure the property, the third Respondent objected for the same. Therefore, he seeks police protection.

3.The learned Additional Public Prosecutor submitted that the subject matter of the Writ Petition relates to Tamil Nadu Survey and Boundaries Act, 1923.



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4. Since the subject matter involves dispute regarding boundaries, the submission of the learned counsel for the Petitioner that only a Writ Petition is maintainable cannot be accepted. Since the third Respondent had disputed the title to the Petitioner, the Petitioner has to get the relief from the competent civil Court. The Writ Court cannot pass orders regarding title to the property. By way of filing this Writ Petition, the Petitioner had approached this Court by converting the civil dispute as criminal case. Therefore, **the Writ Petition is disposed of** with a direction to the Writ Petitioner to approach the competent civil Court to workout his remedy. No costs.

03.01.2024

Index : Yes / No

Internet : Yes / No

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TO:

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Boolankurinji Police Station,
Thiruppathur Taluk,
Sivagangai District.



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SATHI KUMAR SUKUMARA KURUP, J.

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