



W.P. No.16725 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.16725 of 2025

Mrs.C.Mayeeli

... Petitioner

Vs.

1.The Tahsildhar
Mettur Taluk,
Salem District.

2.The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.

3.Mr.Ranganathan
4.Mr.S.Perumal

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first and second respondents to survey with police protection and fence the land situated in SF No.75/1 in Konur Village & Post, Mettur Taluk, Salem District by considering the petitioner's representation dated 18.02.2025 within a stipulated period of time fixed by this Court.

For Petitioner(s)

: Mr.M.Dinesh



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For Respondent(s)

: Mr.P.Sathish

Additional Government Pleader
for R1

Mr.R.Kishore Kumar

Government Advocate (criminal side)
for R2

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondent Nos.3 and 4 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus directing the first and second respondents to survey with police protection and fence the land situated in SF No.75/1 in Konur Village & Post, Mettur Taluk, Salem District by considering the petitioner's representation dated 18.02.2025 within a stipulated period of time fixed by this Court.

3. It is submitted by the learned counsel for the petitioner that respondent Nos.3 and 4 are brothers of her husband. On partition, each brother has received an extent of 90 cents respectively out of 3 acre 60 cents at SF No.75/1 in Konur Village & Post, Mettur Taluk, Salem District. While so, one Marimuthu, brother



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in law of the petitioner, who is not a party in the writ petition has sold his shares to the petitioner on 28.02.1996 vide Document No.176 of 1996 and from the date of purchase, the petitioner is in continuous possession of the subject property. Further, respondent Nos.3 and 4 have sold their respective shares to third parties and the petitioner's husband is having half share in the partition. Under such circumstances, respondent Nos.3 and 4 are trying to fence the petitioner's land without any title or valid rights. Hence, the petitioner submitted a representation dated 18.02.2025 and paid necessary fees to survey and fence the subject property. However, no action was taken by the respondents. Hence, this writ petition.

4. The learned Special Government Pleader, Mr.P.Sathish, learned Additional Government Pleader appearing for Respondent No.1 would submit that they would consider the representation dated 18.02.2025 and survey and fence the subject property and pass appropriate orders within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

5. It is further submitted by the learned Special Government Pleader that in case police protection is required they would request the 2nd respondent. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar



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appearing for the 2nd respondent would submit that if any such request is made

adequate police protection will be granted.

6. In view thereof, the writ petition stands disposed of with a direction to the first and second respondents to consider the petitioner's representation dated 18.02.2025 and survey and fence the subject property and pass appropriate orders after putting the petitioner, respondents Nos.3 and 4, adjacent land owners and any other interested parties/rival claimants if any on notice, within a period of 8 weeks from the date of receipt of a copy of this order. It is open to the first respondent to request for police protection before the second respondent. If any such request is made the second respondent is directed to provide adequate police protection for conducting the survey. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs.

04.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

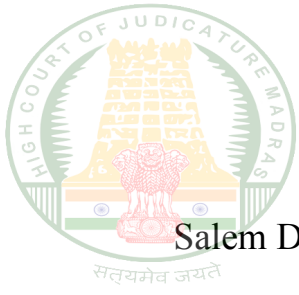
Neutral Citation: Yes/No

mrn

To:

1.The Tahsildhar
Mettur Taluk,

4/6



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Salem District.

2. The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.



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MOHAMMED SHAFFIQ, J.

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