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W.P.Crl.No.216 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Crl.No. 216 of 2025

R.Palanichamy

... Petitioner

Vs.

1. The Superintendent of Police,
Avinashi, Coimbatore District.
2. The Inspector of Police,
Karamadai Police Station,
Annur Taluk, Avinashi.

3. Narayanasamy

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Mandamus, directing the 1st and 2nd respondents to provide adequate police protection to survey and fix four boundaries of the land in Survey No.264/3 to an extent of 50.50 ares i.e., 1 acre 43 cents sq.ft 75 in Patta No.777 situates in Vadavalli Village, Annur Taluk, Coimbatore District on the basis of the petitioner's representation dated 29.09.2024 within the time stipulated as fixed by this Court.



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For Petitioner : Ms.C.R.Ponnuthai

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
for R1 and R2

ORDER

The Writ Petition has been filed seeking for issuance of Writ of Mandamus to direct the respondents 1 and 2 to provide adequate Police protection to survey and fix four boundaries of the land in Survey No.264/3, measuring an extent of 50.50 ares, i.e., 1 acre 43 cents sq.ft 75 in Patta No.777 situate in Vadavalli Village, Annur Taluk, Coimbatore District, on the basis of the petitioner's representation dated 29.09.2024 within a stipulated time that may be fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for respondents 1 and 2 and perused the materials available on record.

3. Since no adverse order is being passed against the third respondent, notice to the third respondent is hereby dispensed with.



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4. It seen from the records that the petitioner made a representation dated 29.09.2024 to the respondents 1 and 2/Police seeking to provide adequate Police protection to survey the subject land, alleging that the neighbouring land owners are disturbing the process of measuring the land.

5. Learned Government Advocate (Crl.Side) appearing for the State submitted that there is no request made by the Surveyor for Police protection or any allegations of disturbing the execution of the public duty. If due request emanates from the Surveyor for Police protection, adequate protection will be provided for measuring the land of the petitioner.

6. It is needless to state that the petitioner has no *locus standi* to seek adequate Police protection straight-away, while surveying his land. The petitioner has to submit an application before the Surveyor seeking to survey and fix the four boundaries of the subject land and thereby, the Surveyor has to carry out the survey in the manner known to law as per the Tamil Nadu Survey and Boundaries Act, 1923. In case, while



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carrying out the official duty, if any disturbance is caused by any one of the party, who have no right over the property, the Surveyor has to approach the Police for adequate protection to carry out the survey

7. In the above circumstances, this Court is not inclined to entertain this petition, since there is no material available to infer that the Police has refused to give protection. If any such request emanates from a public authority, the Police shall take note of the request and provide necessary protection.

8. With the above observations and directions, the Writ Petition is dismissed. There shall be no order as to costs. However, it is open to the petitioner to work out his remedy in the manner known to law.

09.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Superintendent of Police,
Avinashi, Coimbatore District.
2. The Inspector of Police,
Karamadai Police Station,
Annur Taluk, Avinashi.
3. The Public Prosecutor,
High Court, Madras.



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