

W.P.(Crl.) No.804 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P.(Crl.) No.804 of 2025

1.M.Muhammad Niyaji

2.A.J.Muhammad Malik

... Petitioners

Vs.

1.The Superintendent of Police,
Mayiladuthurai District.

2.The Deputy Superintendent of Police,
Sirkazhi Mayiladuthurai District.

3.The Inspector of Police,
Sembanarkovil Police Station,
Mayiladuthurai District.

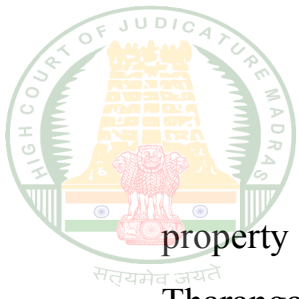
4.The Taluk Surveyor,
Tharangambadi Taluk,
Mayiladuthurai District.

5.N.Kalaivanan

6.N.Kalyanasundaram

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to grant adequate police protection to survey and demarcate the subject matter



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property situated in S.No.22/4c, at Aathiyaan Street, Sembanarkovil Village, Tharangambadi Taluk, Mayiladuthurai District, admeasuring to an extent of 0.07.1/3 cent (i.e., 3197 Sq. Ft.) as against the life threatening and fearsome activities of the fifth and sixth respondents herein and their men.

For Petitioners : Mr.R.Kuyilan

For Respondent : Mr.R.Vinothraja, GA (Crl. Side)
Nos.1 to 4

ORDER

The present Writ Petition has been filed seeking a direction to the respondents 1 to 3 to grant adequate police protection to survey and demarcate the subject matter property situated in S.No.22/4C, at Aathiyaan Street, Sembanarkovil Village, Tharangambadi Taluk, Mayiladuthurai District, admeasuring to an extent of 0.07.1/3 cent (i.e., 3197 Sq. Ft.) as against the life threatening and fearsome activities of the fifth and sixth respondents herein and their men.

2. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl. Side) appearing on behalf of the respondents 1 to 4.



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3. The main grievance of the petitioners is that the petitioners purchased the subject property in the year 2011 and from then onwards, they are in peaceful possession and enjoyment of the said property. They made an application for survey of the subject property and received information about the dates of survey in response to their application. While so, the respondents 5 and 6, who are the adjacent land owners of the subject property, had objected and restrained the officials from surveying the property by their unnecessary acts. Hence, the petitioners made representation to the third respondent on 08.08.2025 and also approached the respondents 1 to 3 in person in this regard but all their efforts went in vain. Therefore, the present Writ Petition.

4. The learned counsel for the petitioners submitted that the respondents 5 and 6, who are the adjacent land owners of the subject property, are threatening and preventing the officials from conducting the survey and thereby, interfering with the peaceful possession of the petitioners. Hence, he seeks to grant police protection to survey the subject property.



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5. On a bare reading of the case reveals that the case pertains to civil dispute between the petitioners and the respondents 5 & 6 in regard to survey of land. This Court cannot direct the police to give police protection in the matter which is of civil in nature. If at all, the petitioners are aggrieved, they can very well approach the competent Civil Court and seek necessary direction for survey and to demarcate the boundaries of the subject property. The petitioner is directed to work out his remedy for surveying their subject property in the manner known to law.

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

11.09.2025

Index:Yes/No
NCC :Yes/No

DP



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To

- 1.The Superintendent of Police,
Mayiladuthurai District.
- 2.The Deputy Superintendent of Police,
Sirkazhi Mayiladuthurai District.
- 3.The Inspector of Police,
Sembanarkovil Police Station,
Mayiladuthurai District.
- 4.The Taluk Surveyor,
Tharangambadi Taluk,
Mayiladuthurai District.
- 5.The Public Prosecutor,
Madras High Court.



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