

W.P.(MD)No.2700 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.2700 of 2025

Pitchai Rowther

... Petitioner

Vs.

1.The Tahsildar,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.

2.The Taluk Surveyor,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.

3.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 3rd respondent herein to provide adequate police protection as per proceedings issued by the first respondent vide Na.Ka.No.2170/2023/S dated 03.07.2023 and Na.Ka.No.2143/2022/S dated 03.11.2023 during the survey of petitioner's property comprised in S.No.209/2B of an extent of 0.11.34 ares situated at Kookal Village, Kodaikanal, Dindigul District by the respondents 1 and 2.



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For Petitioner : Mr.S.Paul Murugesh
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioner has filed this writ petition seeking a direction to the third respondent herein to provide adequate police protection as per proceedings issued by the first respondent vide Na.Ka.No.2170/2023/S dated 03.07.2023 and Na.Ka.No.2143/2022/S dated 03.11.2023 during the survey of petitioner's property comprised in S.No.209/2B of an extent of 0.11.34 ares situated at Kookal Village, Kodaikanal, Dindigul District by the respondents 1 and 2.

2.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor, takes notice for the respondents.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4.The petitioner had approached the revenue authorities to survey his land and paid requisite fee and thereafter, the Tahsildar, Kodaikanal

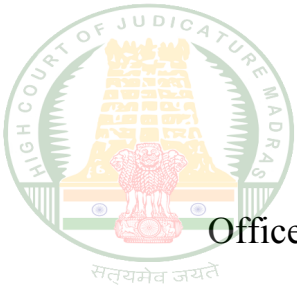


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had also addressed a communication to the third respondent Police to give adequate police protection to the persons, who are conducting survey in the petitioner's property. The contention of the petitioner is that the adjacent land owners are creating obstruction to the Government officials to carry out the survey. He further submits that on 04.07.2023, when the survey was scheduled, the same could not be conducted because of their obstructions and again the date was fixed on 04.11.2023 and thereafter, on 30.10.2024 and on 10.01.2025. The Tahsildar each time had been writing to the police seeking protection for conducting survey in the petitioner's property and the police have not taken any effective steps. Hence, this petition.

5.The learned Additional Public Prosecutor appearing for the respondent police submits that notice was issued to the adjacent land owners, namely, Pitchai, Balasubramani, Karpaga Nadhan and Rajalingam. Except saying there is objection by the adjacent land owners, the petitioner has not produced any documents to sustain his contention. However, the petitioner has now filed this petition.

6.In view of the above, the respondent police is directed to give adequate police protection to the Thasildar, Village Administrative



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Officer, Surveyor and the petitioner for conducting the survey and
 earmark the subject land.

7. With the above direction, this Writ Petition is disposed of.

31.01.2025

NCC : Yes / No
Index : Yes / No
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To

1. The Tahsildar,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.
2. The Taluk Surveyor,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.
3. The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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