Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Crl. No. 2672 of 2026

CNR: {HCMA012405532026}

1. R.Rajendran
   No.2/58, Amman Nagar,
   Periyasirakabadi,Veerapandi,
   Salem South Taluk,
   Salem District – 636 308.

2. S.Venkatachalam
   Central Co-Operative Society Upstairs,
   Santhaipet, Kondalampatti Post,
   Salem District.

3. P.Shanmugan
   D.No.3-3-25/11/14, Krishna Nagar,
   Sangagiri Taluk, Salem District.

4. N.Venkatachalam
   No.3-4/68/1, Kamaraj Nagar,
   Keerapappampadi,
   Salem Steel Plant, Salem District.

..Petitioners

Vs

1. The Superintendent of Police
   Salem District, Salem.

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

3. The Tahsildar
   Mettur Taluk, Salem District.

4. Parasuraman
   D.No.2/148, Nariyapatti Kattuvalavu,
   Surapalli, Salem Taluk and District.

..Respondents

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Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to provide adequate Police Protection to the petitioners to enable them to carry out the Survey/Measurement of the property comprised in Survey Nos.308/1C and 308/2E2, Patta Nos.7642 and 7623, situated at Surapalli, Village, Mettur Taluk, Salem District with the assistance of the 3rd Respondent/Revenue Officials and restraining the 4th Respondent and his men from in any manner obstructing or interfering with such survey/measurement and with the petitioners peaceful possession and enjoyment of the petitioner schedule property.

For Petitioners: Mr.T.K.Saravanan

For Respondents: Mr.Arun Anbumani,
Additional Public Prosecutor
for R1 and R2
Mr.R.Poornima,
Additional Government Pleader for R3
Mr.R.Vinothraja for R4

ORDER

The petitioners seek a direction for police protection to be offered at the time of the survey of the property situated at Survey Nos.308/1C, 308/2E2 at Surapalli Village, Mettur Taluk, Salem District.

2. When the matter came up for admission, I called upon Ms.R.Poornima to take notice on behalf of the Tahsildar/third respondent and to submit a report as to when the survey will be conducted. I had also requested Mr.S.Yogaraja Sekar to ensure that notice is served on the fourth respondent.

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3. Mr.R.Vinothraja has entered appearance for the fourth respondent. He does not dispute that the person to whom the fourth respondent sold the property had in turn alienated the property to the petitioners. He urges that the property had already been surveyed on 07.09.2026 and a patta had been issued to the petitioners. He states that the property is the subject matter of dispute in O.S.No.842 of 2026 on the file of Principal District Court, Salem, now pending before the Additional District Judge (Fast Track Court), Mettur. He states that the entire attempt of the petitioners is to take possession of the property under the guise of survey and measurement.

4. Ms.R.Poornima reports that the survey will be conducted on 04.11.2026.

5. I have considered the submissions of all sides. I have gone through the records.

6. The right to seek a survey is a statutory right. As long as appropriate fees are paid and an application is made out, the Survey Department is duty bound under the Tamil Nadu Survey and Boundaries Act, 1923 (Tamil Nadu Act No. 8 of 1923) and the Rules made thereunder to carry out the survey. That having been done in the present case, the fourth respondent cannot object to the said survey being done on the ground that a survey had already taken place.

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7. The survey of the property will be done on 04.11.2026. In the event the third respondent makes a request for police protection, the second respondent shall afford the same. It is made clear that the police protection should not be offered on the request of the petitioner or the private respondent. Under the guise of survey, no person must be dispossessed from the property.

7. The writ petition stands disposed of on the above terms.

30.10.2026

Index: Yes/No
Neutral Citation: Yes/No
mmi/nm

To

1.The Superintendent of Police
Salem District, Salem.

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

3.The Tahsildar
Mettur Taluk, Salem District.

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V.LAKSHMINARAYANAN, J.

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