



W.P.Crl.(MD)No.1591 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.03.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.1591 of 2026

Chinnappan

... Petitioner

Vs.

1. The State of Tamilnadu,
Represented By the Superintendent of Police,
Superintendent of Police Office, Dindigul.
2. The Deputy Superintendent Of Police,
Dindigul Town, Dindigul District.
3. The Inspector of Police,
Dindigul City North Police Station,
Dindigul District.
4. Ravi
5. Elisha
6. The Taluk Surveyor,
Dindigul Taluk,
Dindigul District.
7. The Tahsildar,
Dindigul Town,
Dindigul District.

... Respondents

(R6 & R7 are suo motu impleaded vide order of this Court dated 24.03.2026.)



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 to 3 to take Criminal action against the respondents 4 and 5 who are preventing the petitioner from entering petitioner's father's property, and police protection has to be given at the time of fencing the said property in S.No.842/11 total extent of 53 cents which is situated at East Mariyanathapuram, Dindigul Town, in the light of petitioner's representation dated 02.03.2025 within a stipulated period as prescribed by this Court.

For Petitioner : Mr.S.Balaji
For Respondents : Mr.M.Sakthi Kumar (R1 to R3)
Government Advocate (Crl.)
Mr.C.Satheesh (R6 & R7)
Government Advocate (Civil)

ORDER

Since the concerned Taluk Surveyor, Dindigul Taluk, Dindigul District and the Tahsildar, Dindigul Town, Dindigul District, are necessary parties for the effective adjudication of this writ petition, The Taluk Surveyor, Dindigul Taluk, Dindigul District and the Tahsildar, Dindigul Town, Dindigul District are suo motu impleaded as 6th and 7th respondents in this case.

2. This writ petition has been filed seeking a direction to the respondents 1 to 3 to initiate appropriate criminal action against respondents 4 and 5, who



are allegedly preventing the petitioner from entering his father's property and also seeking police protection for the purpose of fencing the said property, comprised in Survey No. 842/11, measuring a total extent of 53 cents, situated at East Mariyanathapuram, Dindigul Town, in light of the petitioner's representation dated 02.03.2025, to be considered within a time frame as may be stipulated by this Court.

3. This writ petition is disposed of at the admission stage itself. Since no adverse order is proposed to be passed against the private respondents, notice to them is dispensed with.

4. The learned counsel appearing for the petitioner submitted that on 17.09.1994, the petitioner's paternal grandmother, namely, Savariammal purchased 53 cents of land comprised in Survey No. 842/11, measuring a total extent of 53 cents, situated at East Mariyanathapuram, Dindigul Town, Dindigul District. A civil suit was conducted by the petitioner's grandmother in OS No.5 of 1995 on the file of the learned Principal District Munsif Court, Dindigul as against the 4th and 5th respondents with respect to the aforesaid property and the same was allowed in favour of her. Challenging the same, AS No.446 of 2004 was filed by the 4th and 5th respondents before the Additional



Subordinate Court, Dindigul, and the same was dismissed by the appellate Court on 11.04.2012, against which, the second appeal in SA(MD)No.552 of 2012 filed against the 4th and 5th respondents before this Court was also rejected and hence, the title of writ petitioner's grandmother attains finality. Even thereafter, the 4th and 5th respondents are not allowing the petitioner to put up the fence. Hence, the petitioner has given a representation seeking police protection for fencing of the property.

5. It is open to any aggrieved party to move this Court either by way of review or recall of this order, if there is any suppression of material facts by the petitioners.

6. The Writ Petition is disposed of with the following directions:-

(I) The petitioner is directed to submit his application in on-line mode. The survey authority will scrutinize if the application submitted by the petitioner is in order.

(II) The petitioner will have to enclose all the relevant documents such as patta and also produce all relevant judgments to the authorities concerned.

(III) The survey authority will issue notice to the writ



petitioner, as well as the adjacent land owners and also to the interested persons, if any, including the private respondents.

(IV) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.

(V) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objectors can move the concerned Court for injunction. If before the proposed date of survey, the objectors are unable to obtain any injunction order, the survey can very well go on.

(VI) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

(VII) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicants to move the jurisdictional civil Court for agitating their rights.

(VIII) The instant case is filed particularly seeking police protection for the conduct of survey. In this regard, if required, the



W.P.Crl.(MD)No.1591 of 2026

respondent police is directed to afford necessary police protection on payment of necessary charges in terms of GO.Ms.No.139, Home (Pol-VIII) Department, dated 04.03.2019.

(IX) The survey authority will conclude the entire exercise one way or the other within a period of six weeks after service of notice on the interested persons.

(X) A copy of the survey report along with sketch will be served on the parties.

24.03.2026

NCC : Yes / No
Index : Yes / No
Sm



W.P.Crl.(MD)No.1591 of 2026

TO:-

WEB COPY

1. The Superintendent of Police,
Superintendent of Police Office, Dindigul.
2. The Deputy Superintendent Of Police,
Dindigul Town, Dindigul District.
3. The Inspector of Police,
Dindigul City North Police Station,
Dindigul District.
4. The Taluk Surveyor,
Dindigul Taluk,
Dindigul District.
5. The Tahsildar,
Dindigul Town,
Dindigul District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P.Crl.(MD)No.1591 of 2026

L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.Crl.(MD)No.1591 of 2026

Dated
24.03.2026