



W.P.Crl.(MD)No.2691 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **01.06.2026**

CORAM:

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

W.P.Crl.(MD)No.2691 of 2026

Kandasamy

... Petitioner

Vs.

1. The Superintendent of Police,
Tenkasi, Tenkasi District.

2. The Inspector of Police,
Sivakiri Police Station,
Tenkasi District.

3. The Tahsildar,
Sivakiri Taluk,
Tenkasi District.

4. The Taluk Surveyor,
Sivakiri Taluk,
Tenkasi District.

... Respondents

(R3 & R4 are impleaded vide order of this Court dated 01.06.2026.)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the 2nd respondent herein to provide POLICE PROTECTION, to the petitioner's life, limb and to fencing and enjoyment of the property in Survey number 157/7, Viswanathaperi, Sivagiri Taluk, Tenkasi District, on the basis of the representation dated 05.03.2026.



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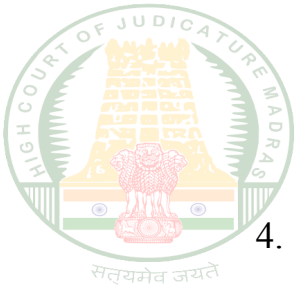
For Petitioner : Mr.R.Ilayaraja
For Respondents : Mr.D.Rajaboopathy
Counsel for State of TN (Crl.Side)

ORDER

Since the concerned Tahsildar and the Taluk Surveyor are necessary parties for the effective adjudication of this writ petition, The Tahsildar, Sivakiri Taluk, Tenkasi District and The Taluk Surveyor, Sivakiri Taluk, Tenkasi District are suo motu impleaded as 3rd and 4th respondents in this case. Registry is directed to carry out necessary amendment.

2. This writ petition has been filed seeking for a direction to the 2nd respondent herein to provide police protection, to the petitioner's life, limb and to fencing and enjoyment of the property in Survey number 157/7, Viswanathaperi, Sivagiri Taluk, Tenkasi District, on the basis of the representation dated 05.03.2026.

3. This writ petition is disposed of at the admission stage itself. 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 petitioner.



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

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

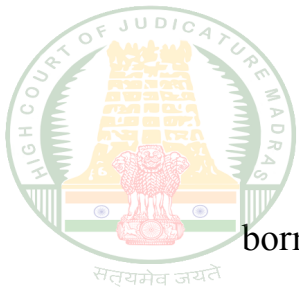
(II) The petitioner will have to enclose all the relevant documents such as patta.

(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



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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.

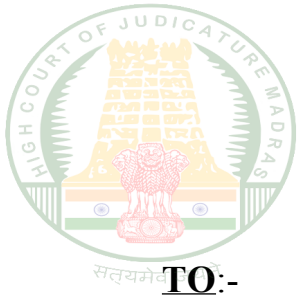
(VIII) The instant case is filed particularly seeking police protection for the conduct of survey. In this regard, if required, the respondent police is directed to afford necessary police protection on payment of necessary charges in terms of GO.Ms.No.139, Home (Pol-VIII) Department, dated 04.03.2019.

(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.

01.06.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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Tenkasi, Tenkasi District.
2. The Inspector of Police,
Sivakiri Police Station,
Tenkasi District.
3. The Tahsildar,
Sivakiri Taluk,
Tenkasi District.
4. The Taluk Surveyor,
Sivakiri Taluk,
Tenkasi District..
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.Crl.(MD)No.2691 of 2026

Dated
01.06.2026