



W.P.Crl.(MD)No.3213 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **23.06.2026**

CORAM:

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

W.P.Crl.(MD)No.3213 of 2026

Sahubar Nisha

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Kilakkarai Circle,
Kilakkarai Taluk,
Ramanathapuram.

3.The Inspector of Police,
Thiurpullani Police Station,
Ramanathapuram District.

4.Mohamed Kulam

5.Ajeesha

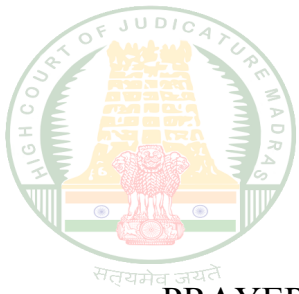
6.Asan Shajathi

7.Malika

8.The Taluk Surveyor,
Kilakkarai Taluk,
Ramanathapuram District.

... Respondents

(R8 is suo motu impleaded vide order dated 23.06.2026 in this writ petition.)



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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 give adequate police protection to put up barbed wire fence of petitioner's property situated in Survey No. 88/7 in Thinaikulam Village, Kalimankundu Group, Kilakkarai Taluk, Ramanathapuram District based on the petitioner's representation dated 01.11.2025 and 10.02.2026.

For Petitioner : Mr.S.A.Ajmal Khan
For R1 – R3 : Mr.S.Arun Arockiasamy
Government Advocate (Crl.side)
For R8 : M/s.M.R.Priyanka Jothi
Government Advocate (Civil side)

ORDER

Since the concerned Taluk Surveyor, Kilakkarai Taluk, Ramanathapuram District is a necessary party for the effective adjudication of this writ petition, The Taluk Surveyor, Kilakkarai Taluk, Ramanathapuram District is suo motu impleaded as 8th respondent in this case.

2. Seeking to direct the respondents 1 to 3 to give adequate police protection to put up barbed wire fence of petitioner's property situated in Survey No. 88/7 in Thinaikulam Village, Kalimankundu Group, Kilakkarai Taluk, Ramanathapuram District based on the petitioner's representation dated



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01.11.2025 and 10.02.2026, this writ petition is filed.

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3. Since no adverse order is passed against the private respondents, notice to the private respondents is dispensed with.

4. The learned Government Advocate(Crl.side) on instructions submitted that the petitioner's representation would be considered.

5. Heard the learned counsel on either side and carefully perused the materials available on record.

6. The respondent police is directed to put the petitioner as well as the private respondents on notice under Section 64 BNSS and after giving an opportunity of hearing, conclude the enquiry within a period of four (4) weeks from the date of receipt of copy of this order. If the private respondents raise objection for fencing and seeks for survey, survey may be conducted subject to the following conditions :

(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.



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(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 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



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jurisdictional civil Court for agitating their rights.

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(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.

7. With the above directions, this Writ Petition stands disposed of.

23.06.2026

NCC : Yes / No

Index : Yes / No

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TO:-

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



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L.VICTORIA GOWRI, J.

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- 2.The Deputy Superintendent of Police,
Kilakkarai Circle,
Kilakkarai Taluk,
Ramanathapuram.
- 3.The Inspector of Police,
Thiurpullani Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.Crl.(MD)No.3213 of 2026

Dated
23.06.2026