



WP CRL.(MD). No.3444 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24/06/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

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Dharmar

... Petitioner

Vs

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

2. The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

3. Deva

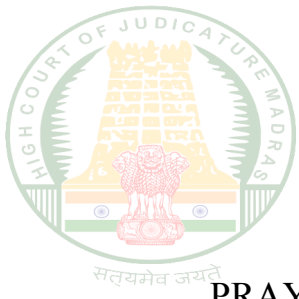
4. Jeeva

5. The Tahsildar,
Uthamapalayam Taluk,
Theni District.

6. The Taluk Surveyor,
Uthamapalayam Taluk,
Theni District.

(R5 and R6 are suo motu impleaded
vide Court order dated 24.06.2026)

... Respondents



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PRAYER :-

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To issue a Writ of Mandamus directing the respondents 1 and 2 to grant adequate police protection for fence the petitioner to ensure safety and security in S.No.1194/IC2 in patta No.4158 situated at Durgaiamman Kovil, Mela Gudalur Village, Uthamapalayam Taluk, Theni District, based on the representation given by the petitioner dated 21.06.2026.

For Petitioner : Mr.P.Praveenkumar,
Advocate

For Respondent : Mr.D.Rajaboopathy
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents 1 and 2 to grant adequate police protection for fence the petitioner to ensure safety and security in S.No.1194/IC2 in patta No.4158 situated at Durgaiamman Kovil, Mela Gudalur Village, Uthamapalayam Taluk, Theni District, based on the representation given by the petitioner dated 21.06.2026.



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2. Since the concerned The Tahsildar, Uthamapalayam Taluk, Theni District and the Taluk Surveyor, Uthamapalayam Taluk, Theni District, are necessary party for the effective adjudication of this writ petition, The Tahsildar, Uthamapalayam Taluk, Theni District and the Taluk Surveyor, Uthamapalayam Taluk, Theni District, are suo motu impleaded as 5th and 6th respondents in this case.

3. Learned counsel for the petitioner submitted that earlier when the survey was conducted, the private respondents 3 and 4 have troubled the petitioner and obstructed the conclusion of the process of survey.

4. 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.

5. 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.



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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 petitioners, 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.



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(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 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.

24.06.2026

NCC : yes / no
Index : yes / no

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To

1. The Superintendent of Police, Theni, Theni District.
2. The Inspector of Police, Uthamapalayam Police Station,
Theni District.
3. The Tahsildar, Uthamapalayam Taluk, Theni District.
4. The Taluk Surveyor, Uthamapalayam Taluk,
Theni District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date : 24/06/2026