



WP CRL.(MD). No.1054 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10/07/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

WP CRL.(MD). No.1054 of 2026

and

WPMP CRL.(MD). No.276 of 2026

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... Petitioner

Vs

1. The District Collector,
Madurai District, Madurai.

2. The Superintendent of Police,
Madurai, Madurai District.

3. The Tahsildar,
Peraiyur, Madurai District.

4. The Executive Officer,
Elumalai Town Panchayat,
Madurai District.

5. State of Tamilnadu Rep by
Inspector of Police, Elumalai Police Station,
Madurai.

6. Raja

7. Boopathi Raja

... Respondents



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PRAYER :-

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To issue a Writ of mandamus, directing the 5th respondent to provide adequate police protection to ensure the petitioners free and safe access by walk through the pathway in survey No.561/6, Elumalai Village, Peraiyur Taluk to reach the petitioner's agricultural lands in Survey Nos. 2/2A, 2/2B and 2/2B1, Melathirumanickam village, Peraiyur Taluk, Madurai District.

For Petitioner : Mr. M.Rajarajan,
Advocate.

For Respondent : Mr.M.R.Priyanka Jothi - for R1, R3 and R4
Government Advocate (Civil Side)

Mr.C.Susikumar - for R2 and R5
Government Advocate (Crl.side)

No appearance - for R6 and R7

ORDER

This Writ Petition is filed seeking to issue a Writ of mandamus, directing the fifth respondent to provide adequate police protection to ensure the petitioner's free and safe access by walk through the pathway in survey No.561/6, Elumalai Village, Peraiyur Taluk to reach the petitioner's agricultural lands in Survey Nos.2/2A, 2/2B and 2/2B1, Melathirumanickam village, Peraiyur Taluk, Madurai District.



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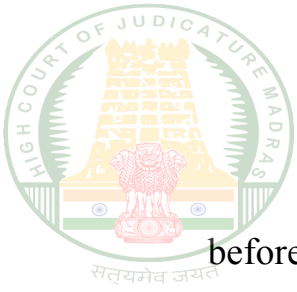
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2. The learned counsel for the petitioner submitted that the petitioner's right of pathway is interfered with and hence he had given a complaint seeking police protection for peaceful usage of the pathway.

3. The learned Government Advocate(civil side) appearing for respondents 1, 3 and 4 drew my attention to the order passed by this Court in another Writ Petition filed by the same petitioner in WP.Crl. (MD)No.1357 of 2025 seeking to direct the Revenue Divisional Officer, Usilampatti, to take appropriate steps to remove the barbed fencing erected by unknown person leading to the agricultural land of the petitioner and this Court by order dated 09.10.2025 has dismissed the same.

4. Heard either side and carefully perused the materials available on record.

5. Observing that this Court cannot go into the disputed facts and that is just for the petitioner to establish that he had the right of pathway



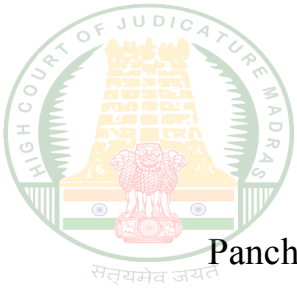
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before a competent civil Court. Thereafter, the petitioner had come before this court by way of filing this Writ Petition seeking for the right of pathway and sought for dismissal of the writ petition.

6. The learned Government Advocate submitted that the no complaint has been received so far and no proof has also been filed with respect to the said complaint.

7. Heard either sides and carefully perused the materials available on record.

8. In view of the submission made by the rival parties, it is seen that already this Court has directed the petitioner herein to approach the appropriate civil Court to establish his right of pathway. That apart, the learned Government Advocate appearing for the respondent Nos.1,3 and 4, also drew my attention to the 'A' Register where it is stated that the property which is claimed to be as pathway by the petitioner is mentioned as Mayaanam. The Mayaanam is under the control and maintenance of Elumalai Town Panchayat, Madurai. It is for the



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Panchayat itself to decide right of the petitioner to use the said Mayaanam as a pathway. The third respondent Tahsildar cannot pass orders.

9. Recording the same, giving liberty to the petitioner to approach the appropriate civil Court this writ petition is disposed of. Consequently, connected miscellaneous petition stands closed.

10.07.2026

NCC : yes / no

Index : yes / no

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To

1. The District Collector, Madurai District, Madurai.
2. The Superintendent of Police, Madurai, Madurai District.
3. The Tahsildar, Peraiyur, Madurai District.
4. The Executive Officer, Elumalai Town Panchayat, Madurai District.
5. The Inspector of Police, Elumalai Police Station, Madurai.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

5/6



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L. VICTORIA GOWRI, J

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ORDER
IN
WP CRL.(MD) No.1054 of 2026

Date : 10/07/2026