

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.5553 of 2014

Ranganatha Reddiyar

.. Petitioner

Vs.

- 1.The Secretary to Government of Tamil Nadu,
Revenue Department,
St. George Fort,
Chennai-600 009.
- 2.The District Collector,
Tiruvallur District.
- 3.The Tahsildar,
Gummudipoondi Taluk,
Tiruvallur District.
- 4.Sekar

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 7.1.2014 and thereby direct the third respondent to record the statement from the public and residence of the S.No.1210/2, an extent of 149 hectares and 5 ares and show the 8 ft common pathway in S.No.1210/2 an extent of 149 hectares and 5 ares of eastern side, south from north land at Elavour village, Elavour Firka, Gummudipoondi Taluk, Tiruvallur District, for public usage.

For Petitioner : Mr.D.Kumaralingam

For Respondents : Mr.P.Karthikeyan, GA for RR1 to 3
No appearance for R-4

ORDER

Heard.

2 This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, to direct the third respondent to cause a detailed enquiry, as to whether the pathway in question is a common pathway, amongst the members of

the family of the petitioner, as per the partition effected against them.

3 The learned counsels appearing on behalf of the respondents 1 to 3 had submitted that such a prayer cannot be maintained by the petitioner, before this Court, under Article 226 of the Constitution of India, in respect of the dispute, which is purely civil in nature.

4 In such circumstances, this Court finds it appropriate to dismiss the writ petition. Hence, the writ petition is dismissed. However, it goes without saying that it may be open to the petitioner to seek his remedy, if any, before the appropriate civil forum, in the manner known to law, if so advised. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vvk

To

1.The Secretary to Government of Tamil Nadu,
Revenue Department,
St. George Fort,
Chennai-600 009.

2.The District Collector,
Tiruvallur District.

3.The Tahsildar,
Gummudipoondi Taluk,
Tiruvallur District.

+1 cc to Mr.R.Velu Advocate sr.41339/16

+1 cc to Mr.N.Anand Venkatesh Advocate sr.41605/16

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