



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.13 of 2019

and

W.M.P. (MD) No.4 of 2019

S.Vijayalakshmi

.. Petitioner

Vs.

1.The District Collector,
Tuticorin District.

2.The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.

3.The Tahsildar,
Kayathar, Tuticorin District.

4.The Taluk Deputy Surveyor,
Kayathar, Tuticorin District.

5.Backia Lakshmi, W/o.Anthony

6.Muthusamy, S/o.Ayyasamy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to grant 10 feet pathway to the house in Plot No.25 and consequently, forbearing the respondents 1 to 6 from blocking the 10 feet pathway, forbearing to remove the water pipe line, drainage line and electricity line lying in the 10 feet pathway by considering the representation, dated 19.11.2018.

For Petitioner : Mr.R.Murali

For R1 to R4 : Mr.P.Kannithevan
Additional Government Pleader

For R6 : Mr.Niranjan S.Kumar
<https://hcservices.ecourts.gov.in/hcservices/>

**ORDER**

The prayer sought for in this Writ Petition is, to direct the respondents 1 to 4 to grant 10 feet pathway to the house in Plot No.25 and consequently, forbearing the respondents 1 to 6 from blocking the 10 feet pathway and also forbearing them to remove the water pipe line, drainage line and electricity line lying in the 10 feet pathway, by considering the representation, dated 19.11.2018.

2.Heard Mr.R.Murali, learned counsel appearing for the petitioner, Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents 1 to 4 and Mr.Niranjana S.Kumar, learned counsel appearing for the sixth respondent.

3.After seeing the prayer, this Court is of the view that the prayer sought for in this Writ Petition cannot be entertained by this Court invoking Article 226 of the Constitution of India, as the said prayer necessarily to be agitated before the competent Civil Court by filing a Civil Suit. In that view of the matter, this Writ Petition is liable to be dismissed and accordingly, it is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

/ True Copy /

Sub Assistant Registrar(CS-)

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To

1.The District Collector,
Tuticorin District.

2.The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.

3.The Tahsildar,
Kayathar, Tuticorin District.

4.The Taluk Deputy Surveyor,
Kayathar, Tuticorin District.

+1 CC to M/s.NIRANJANA S.KUMAR, Advocate
(SR-67148[F] dated 06/06/2019)

W.P. (MD) No.13 of 2019
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