



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1400 of 2021

M.Mani

... Petitioner

-Vs-

1.The Managing Director,
Small Industries Promotion Corporation of Tamil Nadu
(SIPCOT),
19A, Rukmani Lakshmipatty,
Egmore,
Chennai.

2.The Block Development Officer,
Office of Annavasal Panchayat Union,
Annavasal Post,
Illupur Taluk,
Pudukkottai District.

3.The President,
Thiruvengaivasal Village Panchayat,
Perunchunai Post,
Illupur Taluk,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to remove the gate put up by the first respondent in S.No.53/2A, 53/2D, 54/2A3, 59/4B2, 60/2A and 60/2C of Thiruvengaivasal Village and forbear the first respondent from obstructing the pathway right of the petitioner to his patta land.

For Petitioner : Mr.P.Ganapathi Subramanian
For R2 & R3 : Mr.J.Lakshmi Prasanna

ORDER

Heard the learned counsel for the petitioner.

2.The learned counsel wants the first respondent to remove the gate put up by them in the petition mentioned site. According to him, the gate obstructs the pathway rights of the petitioner. The issue raised in the writ petition essentially pertains eastmentary rights of the petitioner.

3.Such a right has to be necessarily ventilated only by the jurisdictional Civil Court. It is not for the writ Court to adjudicate the issue. Therefore, leaving open the petitioner's



rights to move the jurisdictional Civil Court, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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VB (08.02.2021) 2P 1C