



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2021

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.16463 of 2020

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... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.

3. The Executive Officer,
Adhirampattinam,
Selection Grade Panchayat,
Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the road which was laid in the petitioner's patta land in survey No.346/1 situated at Adhirampattinam Village, Pattukkottai Taluk, Thanjavur District, based on the petitioner's representation dated 26.12.2019.

For Petitioner : Mr.M.Ramu

For Respondents : Mr.M.Thilagar,
Government Advocate.

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O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

2. The petitioner wants this Court to direct the respondents to remove the road laid on the petition mentioned land. According to the petitioner, the petition mentioned land is a private patta land. It is seen from the communications enclosed in the typed set of papers that for the last 40 years, the road in question has been in existence and that based on the request from general public, it has been converted as a Thar road.

3. I am afraid that the contentions raised by the writ petitioner are factual in nature and that they will have to be decided only by filing a civil suit. It is not possible for this Court to grant relief in writ jurisdiction.



4. Leaving open the petitioner's right to approach the civil Court, this writ petition stands dismissed. No costs.

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Sd/-

Assistant Registrar (RTI)

// 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.

To:

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.
3. The Executive Officer,
Adhirampattinam,
Selection Grade Panchayat,
Thanjavur District.

+1 CC to M/s.GP (SR-1664[F] dated 21/01/2021) (SR-1612[F] dated 21/01/2021)

W.P. (MD) No.16463 of 2020
20.01.2021

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ES (CO)

KK(04.02.2021) 2P 5C