



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19473 of 2020

and

W.M.P. (MD)No.16239 of 2020

WEB COPY

P.Chinnakoothan

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Natham Taluk Office,
Dindigul District.

3.The Block Development Officer,
Natham, Dindigul District.

4.The President,
Parali Pudur Panchayat,
Parali Pudur, Natham Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 2 to 4 from creating pathway on the property in Survey No.11/1, 11/2 and 11/3 are situated Pudur Village, Thethampatti, Natham Taluk, Dindigul District and further direct the 1st and 2nd respondents to issue the patta to the petitioner with regard to the above said property based on the petitioner's representation dated 09.11.2020.

For Petitioner : Mr.G.Gomathi Sankar

O R D E R

Heard the learned counsel for the petitioner.

2.The petitioner wants this Court to restrain the respondents from creating a pathway in the petition mentioned lands. The petitioner has fairly enclosed the extract of A1 Register in the typed set of papers. It can be seen therefrom that the petition mentioned lands have been classified only as Tharisu. It is not as if the respondents are trying to create pathway in the petitioner's lands. The petitioner claims that he has been in possession of the same for the last several years. But it is not evidenced by the records. Therefore, the petitioner



has to necessarily establish his case only before the jurisdictional Civil Court. Writ petition will not lie.

3. Leaving open the petitioner's rights, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// 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,
Dindigul District, Dindigul.
2. The Tahsildar,
Natham Taluk Office,
Dindigul District.
3. The Block Development Officer,
Natham, Dindigul District.
4. The President,
Parali Pudur Panchayat,
Parali Pudur, Natham Taluk,
Dindigul District.

+1 cc to Mr.G.Gomathi Sankar , Advocate SR.No.159
+1 cc to The Special Government Pleader Sr.No.104

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