



W.P(MD)No.16372 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.08.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16372 of 2013

A.Arogyasamy

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Tiruvaadaanaai Taluk,
Ramanathapuram.

3.The Panchayat President,
Alagar Thevankottai,
Thiruvaadaanaai Taluk,
Ramanathapuram District.

4.The Commissioner,
R.S.Mangalam Panchayat Union,
(Raja Singamangalam),
Thiruvaadaanaai Taluk,
Ramanathapuram District.

5.Block Development Officer,
R.S.Mangalam,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the



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respondents from entering into the petitioner's agricultural patta lands comprised in S.No. 137/1B, 258/1 of Sooramadai Village of Alagar Thevar Kottai Panchayat, Thiruvaadaanai Taluk, Ramanathapuram district, under the colour of laying new road excluding the existing revenue classified road which runs on the S.No.138 and extreme south S.No. 139 and for other consequential reliefs and grant such further and other reliefs, which this Court thinks deem fit and proper in the circumstances of the case.

For Petitioner	: Mr.S.Ramesh
For R1 & R2	: Mr.N.Muthuvijayan Special Government Pleader
For R3	: Mr.K.Saravanan
For R4 & R5	: No Appearance

ORDER

The present writ petition has been filed seeking a writ of Mandamus, forbearing the respondents from entering into the petitioner's patta lands in Survey Nos.137/1B and 258/1 of Sooramadai Village of Alagar Thevar Kottai Panchayat, Thiruvaadaanai Taluk, Ramanathapuram District under the colour of laying a new road.

2. According to the petitioner, Survey Nos.137/1B and 258/1 are his private patta lands. A mud road is in existence in Survey No.138 and extreme south of Survey No.139. In case, if the respondent authorities



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would like to lay a road, they have to lay a road only in Survey No.138 and extreme south of Survey No.139. Instead of that, the respondent authorities attempted to lay a road in his private patta land. Hence, he prayed for allowing the writ petition.

3. Per contra, the learned counsel appearing for the respondents had contended that a mud road is in existence only in Survey No.138 and extreme south of Survey No.139. The private patta lands of the petitioner have not been disturbed for laying the road. The said fact is recorded. In case, if the respondent authorities attempt to disturb the possession of the petitioner in Survey Nos.137/1B or Survey No.258/1 without following due process of law, the petitioner is at liberty to approach the competent Civil Court.

4. With the above said observations, this Writ Petition stands disposed of. No costs.

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Index : Yes / No
Internet : Yes / No

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- 2.The Tahsildar,
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R.VIJAYAKUMAR ,J.

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Order made in
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