



S.A.No.785 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

S.A.No.785 of 2023

and

C.M.P.No.24744 of 2023

1. The State of Tamil Nadu,
Represented by its Cuddalore District Collector,
Having office at District Collectorate Campus,
Gundu Salai Road,
Cuddalore.

2. The Tahsildar,
Chidambaram Taluk,
Having office at Taluk Office,
Cutcherry Street,
Chidambaram.

... Appellants

Vs.

1. Selvaraj
2. Mohan
3. Keerapalayam Panchayath Union,
Represented by its Commissioner,
Having office at
Keerapalayam Union Office,
Main Road, Keerapalayam,
Chidambaram Taluk.
4. The President,
Sakkankudi Panchayath,



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Sakkankudi Village and Post,
Chidambaram Taluk.

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5. The Vice President,
Sakkankudi Panchayath,
Sakkankudi Village and Post,
Chidambaram Taluk.

6. The Special Officer,
Sakkankudi Panchayath,
Sakkankudi Village and Post,
Chidambaram Taluk.

... Respondents

PRAYER: Second Appeal filed under Section 100 of C.P.C. to set aside the judgment and decree dated 06.03.2021 in A.S.No.8 of 2020 on the file of Sub-Court, Chidambaram, confirming the judgment and decree passed on 28.02.2019 by the learned Principal District Munsif, Chidambaram, in O.S.No.297 of 2008.

For appellants	: Mr.Edwin Prabhakar Special Government Pleader
For respondents	
For R1 and R2	: Mr.R.Sethuvarayar
For R3 to R6	: No appearance

JUDGMENT

The status report has been filed by the second appellant as follows:

“2. It is respectfully submitted that, in the above appeal, on 30.11.2023 this Hon'ble High



Court directed the appellants/defendants to file a status report with regard to pathway for respondents/plaintiffs to an extent of 3.6 meters.

3. In this regard, it is respectfully submitted that the appellants herein undertakes that the portion which is marked as 'red' color in the sketch annexed herewith denotes the pathway having 90.8 meters length and 3.6 meters breadth lying in Sr.No.4/9 and in revenue records it will be classified as pathway for an extent of 0.0316 ares.”

2. A sketch has also been annexed with the report which clearly indicates the road which is situated to the North of the portion marked as water tank and library and to the South of S.Nos.4/1A, 4/1B2, 4/1B3 which takes a turn to the South to the Sakkankudi Village Road. The report states that this road will be maintained to the breadth of 3.6 meters throughout.

3. It is informed by Mr.Edwin Prabakar, Special Government Pleader appearing for the appellants that this road is now assigned in



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S.No.4/9 which is also evident in the sketch attached along with this report. It is needless to state that in the event of any obstruction in this road to this breadth, the same shall be removed by the authorities forthwith. This road namely S.No.4/9 joins the Sakkankudi Village Road which is to the South. The breadth of 3.6 meters will be maintained throughout. The report is taken on file and the report and sketch shall form part of this judgment and decree. It is needless to state that the above arrangement is made with the consent of the respondents.

Accordingly, this second appeal stands disposed of on the basis of this report and sketch. The road shall be restored to the above breadth within a period of 2 months from the date of receipt of a copy of this order. Consequently, the connected C.M.P. stands closed. However, there shall be no order as to costs.

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Index : Yes/No
Speaking order/non-speaking order
ssa



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To

1. The District Munsif,
Chidambaram.
- 2.The Sub Judge,
Chidambaram.
- 3.The Section Officer,
V.R.Section, High Court, Madras.



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P.T.ASHA, J.,

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