



W.P.(MD)No.25979 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2023

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CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.(MD)No.25979 of 2023

and

W.M.P.(MD)No.22351 of 2023

C.Subramanian

: Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Marungapuri Taluk,
Marungapuri,
Trichy District.

3.The Block Development Officer,
Marungapuri Panchayat Union,
Tiruchirappalli District.

4.The President,
Ayanperuvai Village Panchayat,
Marungapuri Taluk,
Trichy District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 3 and 4 not to make any construction in the Grama Natham Land which has been classified as pathway comprised No.293/6 measuring about 0.03 cents situated at Ayanperuvai Village, Marungapuri Taluk, Trichy District in the nature of obliterating the pathway based on the representation of the petitioner submitted in person dated 16.10.2023 to the respondents.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents 1 to 4 : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by **M.SUNDAR, J.**]

This order will now dispose of captioned main 'Writ Petition' [WP] and captioned 'Writ Miscellaneous Petition' ['WMP'].

2.This order has to be read in conjunction with and in continuation of earlier proceedings made by another Hon'ble Coordinate Division Bench in the Vacation Bench listing on 26.10.2023 which reads as follows:

'Mr.S.Shaji Bino, learned Special Government Pleader takes notice for the respondents.



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2.The case of the petitioner is that Survey No. 293/6 measuring about 0.03 cents situated at Ayanperuvai, Marungapuri Taluk, Trichy District, is a public pathway. If it is a pathway, then obviously no construction can be permitted. If it is not a pathway and it is only Sarkar Poramboke, then it can be used for public purposes.

3.The learned Special Government Pleader is directed to clarify the position with reference to the revenue records.

4.Post the matter on 30.10.2023.'

3.The last sentence in paragraph No.2 of aforementioned proceedings of the other Coordinate Hon'ble Division Bench is the crux and gravamen of the matter.

4.Today, Mr.P.Thilak Kumar, learned Government Pleader submits on instructions that entire Survey No.293/6 is Sarkar Poramboke – Natham.

5.Learned Counsel for PIL petitioner Mr.Prahalad Ravi, very fairly submits that this would be the end of the road as regards the captioned matter.

6.We deem it appropriate to make it clear that if the PIL petitioner makes any further representation it is open to the respondents to consider the same on its own merits and in accordance with law de hors the closure of captioned matter.



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7.Captioned Writ Petition is disposed of as closed, recording the stated position of the parties. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[M.S.,J.] & [R.S.V.,J.]

30.10.2023

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

MR



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To

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M.SUNDAR, J.
and
R.SAKTHIVEL, J.

MR

ORDER MADE IN
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30.10.2023