



WEB COPY



WP.No.10017 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.10017 of 2024

Sakthivel

.. Petitioner

Versus

1.The District Collector
Salem District
Salem

2.The Revenue Divisional Officer
Mettur Taluk
Salem District

3.The Tahsildar
Mettur Taluk
Salem District

4.Ramasamy

5.Uthiramani

6.Boopathy

7.Saravanan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 & 3 to consider the petitioner's representation dated 15.11.2023 and subsequently modify the names of the patta bearing Numbers 1808, 999 & 1179 on the file of the 3rd respondent by including the petitioner.

For Petitioner : Mr.C.Deepak Kumar

For Respondents : Mr.P.Sathish for R1 to R3
Additional Government Pleader



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ORDER

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2. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

4. It is the case of the writ petitioner that he has derived share in the ancestral property, however, patta stands in the name of the respondents 4 to 7 in a common pathway, they are preventing the petitioner. Hence, representation is given to the respondents 1 to 3 for a direction, which is pending without consideration till date.



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5. At the outset, this Court is of the view that if the petitioner wants to establish his right over the property in a common pathway, it is for him to establish in a civil court by filing necessary suit claiming easementary rights.

6. Such view of the matter, mere direction to the revenue authorities will not serve any purpose. Accordingly, I do not find any merit in this case and this writ petition stands dismissed. No costs.

12.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

1.The District Collector
Salem District
Salem

2.The Revenue Divisional Officer
Mettur Taluk
Salem District

3.The Tahsildar
Mettur Taluk
Salem District



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N. SATHISH KUMAR, J.

dhk

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