



W.P.No.6660 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 02.04.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**WP.No.6660 of 2023 &  
WMP Nos.6726 & 6727 of 2023**

1. Saraswahi
2. Anandan

... Petitioners

**Vs**

1. The District Revenue Officer,  
Dharmapuri District.
2. The Tahsildar,  
Kerimangalam Taluk, Dharmapuri District.
3. R.Prakash
4. Geetha

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records in Ni.Mu. 19252/ 2002/ Pa.2 dated 16.11.2022 on the file of 1st respondent and quash the same and consequently direct the 2nd respondent to issue separate patta to the petitioner for his land measuring



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an extent of 0.67 Acres comprised in S.No. 308/2D in Karimangalam Village and taluk, Dharmapuri District.

For Petitioners : Mr.R.Annagandhi

For Respondents : Mr.P.Sathish,  
Additional Government Pleader – R1 & R2

Mr.K.Selvaraj – R3 & R4

### **ORDER**

This Writ Petition has been filed to quash the Impugned Order passed by the first respondent in Ni.Mu. 19252/ 2002/ Pa.2 dated 16.11.2022 rejecting the patta granted to the petitioner and converting the pathway passing through the private land into a Government land. and consequently direct the second respondent to issue separate patta to the petitioner for his land.

2. Heard Mr.V.R.Annagandhi, learned counsel appearing for the writ petitioner, Mr.P.Sathish, learned Additional Government Pleader,



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appearing for the first and second respondents and Mr.K.Selvaraj learned counsel appearing for the third and fourth respondents.

3. The submissions of the learned counsel appearing for the petitioner indicate that suits are pending between the parties before the civil Court for declaration and for various reliefs. Therefore, this Court is of the view that whether the existing pathway is a public land or a private pathway has to be decided only in the civil suit. At this stage, directing the revenue authorities to convert the existing pathway, which is a private land to a Government land cannot be granted and such an omni bus direction will lead to serious complications. Hence, the Order rejecting the application of the petitioner, at this stage, does not require any interference.

5. Accordingly, this Writ Petition is dismissed No costs. Consequently connected miscellaneous petitions are closed.

**02.04.2024**



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Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The District Revenue Officer,  
Dharmapuri District.
2. The Tahsildar,  
Kerimangalam Taluk, Dharmapuri District.



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**N.SATHISH KUMAR, J.**

VTC

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