



W.P(MD)No.5064 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5064 of 2024
and
W.M.P(MD)No.4862 of 2024

P.Sangilimurugan

... Petitioner

Vs.

- 1.The State represented by
The Secretary,
Department of Revenue,
Fort St.George,
Chennai.
- 2.The District Collector,
Office of the District Collector,
Dindigul District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul, Dindigul District.
- 4.The Tahsildar,
Office of the Tahsildar,
Aathoor Taluk,
Dindigul District.



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5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Ayyampalayam,
Dindigul District.

6.Thiru Anandvel

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 to 5 to take appropriate action against the sixth respondent for blocking the pathway to the petitioner house situated in Survey No. 895/9, Ayyampalayam Village, Aathoor Taluk, Dindigul District by considering the petitioner's representation dated 20.02.2024 in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1 to R.5

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 5. Considering the nature of relief to be granted, issuance of notice to the sixth respondent is dispensed with.



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2. The petitioner alleges that the fifth respondent is obstructing public pathway. He wants action to be taken. This Court cannot issue any positive direction without hearing the sixth respondent.

3. The learned Additional Government Pleader however clarified that the issue appears to have arisen because patta was erroneously issued in favour of the sixth respondent for a larger extent. He states that the fourth respondent had already taken up the matter and issued notice to the concerned parties. The petitioner as well as the sixth respondent have also given their statements. The order regarding modification of patta is to be issued shortly. Proposal had been sent to the third respondent also.

4. The learned Additional Government Pleader would further state that once proper patta is issued in favour of the sixth respondent, the entire issue will be solved. He states that the third respondent will pass such an order within a period of five weeks from the date of receipt of a copy of this order.



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5. Recording the stand, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

04.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Secretary,
Department of Revenue,
Fort St.George, Chennai.
- 2.The District Collector,
Office of the District Collector,
Dindigul District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul, Dindigul District.
- 4.The Tahsildar,
Office of the Tahsildar,
Aathoor Taluk,
Dindigul District.
- 5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Ayyampalayam,
Dindigul District.

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G.R.SWAMINATHAN, J.

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and
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