



W.P(MD)No.16007 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16007 of 2024

and

W.M.P.(MD)Nos.13918 & 13920 of 2024

Pushparaj

... Petitioner

Vs.

- 1.The District Collector,
NH-44, Gurusamy Nagar,
District Collectorate Office,
Virudhunagar District.
- 2.The Tahsildar,
District Collector Office,
Sattur Taluk,
Virudhunagar District.
- 3.The National Highways Authority of India,
(Project Implementation Unit),
No.307, Mellur Main Road,
K.K.Nagar,
Madurai District.
- 4.The President,
K.Muthulingapuram Panchayat,
Virudhunagar Panchayat Union,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to bear the 3rd respondent



W.P(MD)No.16007 of 2024

from constructing the petrol bunk in pathway to the petitioner's agricultural land in survey No.195/3C2, E.Muthulingapuram Village Sattur Taluk, virudhunagar District by considering petitioner's representation dated 03.07.2024 within time stipulated by this Court.

For Petitioner : Mrs.M.Anbarasi

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 & R2

: Mr.D.S.Nedunchezian for R4

ORDER

The petitioner alleges that the third respondent is putting up the petition mentioned construction and that it is likely to affect his pathway rights. It is not the case of the petitioner that construction is going to come up in his patta land. Since factual aspects are involved, the petitioner has to necessarily go before the jurisdictional civil Court. If the petitioner files any suit, it shall be numbered immediately. If any IA is filed for injunction, it will also be disposed of as expeditiously as possible.

3. With this liberty to the petitioner to go before the jurisdictional civil Court, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.16007 of 2024

To

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- 2.The Tahsildar,
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W.P(MD)No.16007 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.16007 of 2024

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