



W.P(MD)No.19933 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.19933 of 2024
and
W.M.P(MD)No.16888 of 2024**

J.Valarmery

... Petitioner/Petitioner

-VS-

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The District Revenue Officer,
Pudukottai District,
Pudukottai.

3.The Revenue Divisional Officer,
Pudukottai District,
Pudukottai.

4.The Tahsildar,
Karambakudi Taluk,
Karambakudi,
Pudukottai District.

5.A.Charles

6.A.Philip

7.A.Arockiyaraj

8.S.Baskar

9.S.Arulmery

10.S.Anthonysamy

... Respondents/Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 4 to cancel the order of assignment patta in favour of the respondents 5 to 10 in respect of S.F.Nos.296/44, 296/45, 296/46, 296/47, 296/48 and 296/49 situated at Regunathapuram Village, Karambakudi Taluk, Pudukottai District and consequently to direct the respondents 1 to 4 to restore the existing common car track in respect of S.F.No.296 situated at Regunathapuram Village, Karambakudi Taluk, Pudukottai District for utilizing the villagers within the stipulated time as may be fixed by this Court.

For Petitioner : Mr.V.Muthu Kamatchi

For R-1 to R-4 : Mr.P.Thilakkumar,
Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.P.Thilakkumar, learned Government Pleader takes notice for respondents 1 to 4.

2. This writ petition is filed to issue a Writ of Mandamus to direct the respondents 1 to 4 to cancel the order of assignment in favour of the respondents 5 to 10 in respect of S.F.Nos.296/44, 296/45, 296/46, 296/47, 296/48 and 296/49 situated at Regunathapuram Village,



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Karamakudi Taluk, Pudukottai District and consequently, to direct the respondents 1 to 4, to restore the existing common cart track in respect of S.F.No.296 situated at Regunathapuram Village, Karambakudi Taluk, Pudukottai District for utilizing the villagers within the stipulated time as may be fixed by this Court.

3. The land in question was assigned in favour of respondents 5 to 10 as early as in the year 2006. The petitioner is claiming a right over the said land. Upon assignment by the Government the land becomes private land. If the petitioner got any right over the said land, it should be by way of easement which is enforceable through the jurisdictional civil Court. Hence, leaving it open to the petitioner to approach the jurisdictional civil Court, this writ petition is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.M., J.]

[L.V.G., J.]

20.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
PM



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WEB COPY

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Pudukottai.
- 3.The Revenue Divisional Officer,
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- 4.The Tahsildar,
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Karambakudi,
Pudukottai District.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

pm

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