



W.P.(MD) No.22791 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2024

CORAM:

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

**W.P.(MD) No.22791 of 2024
and
W.M.P.(MD)No.19312 of 2024**

Muthukaruppan

... Petitioner

-VS-

- 1.The District Collector,
District Collectorate Office,
Pudukkottai District.
- 2.The District Revenue Officer
District Collectorate Office,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Officer,
Pudukkottai District.
- 4.The Tahsildar,
Taluk Office,
Illuppur Taluk,
Pudukkottai District.
- 5.The Panchayat President,
Pulvayal Panchayat,
Illuppur Taluk,
Pudukkottai District.
- 6.Palaniyappan



W.P.(MD) No.22791 of 2024

7.Meenakshi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate steps to maintain the cart track in the revenue records as per 1956 FMB, in S.F.No.189 of Sundarampatti Village, Illuppur Taluk, Pudukottai District and remove the obstruction made by the 6th to 7th respondents.

For Petitioner : Mr.R.Paranjothi
For Respondents 1 to 5 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

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

Mr.S.R.A.Ramachandran, learned Additional Government Pleader takes notice for the respondents 1 to 5. Since we are not passing any adverse order, notice to the respondents 6 and 7 is dispensed with.

2.It is the claim of the petitioner that there are encroachments over the cart track on ground (நிலவியல் வண்டி பாதை) in Survey No.189/1 and 2 of Sundarampatti Village, Illuppur Taluk, Pudukkottai District.

3.The petitioner has produced FMB sketch of field No.189 of Sundarampatti Village in which, a dotted line is formed across Survey No. 189/1 and 2. This according to the petitioner, indicates the existence of the cart track.



W.P.(MD) No.22791 of 2024

WEB COPY

4.The learned Government Pleader has produced A register as well as the Field Measurement Book of the said Village, wherein there is no reference to a cart track either in the remarks column of the A Register or in the FMB sketch. Therefore, the very same existence of pathway is in doubt.

5.We therefore, do not deem it fit to entertain the Writ Petition in the given set of facts. The Writ Petition is therefore, dismissed with liberty to the petitioner to approach the appropriate Civil Court seeking reliefs. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

14.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Mrn



WEB COPY



W.P.(MD) No.22791 of 2024

To

- 1.The District Collector,
District Collectorate Office,
Pudukkottai District.
- 2.The District Revenue Officer
District Collectorate Office,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Officer,
Pudukkottai District.
- 4.The Tahsildar,
Taluk Office,
Illuppur Taluk,
Pudukkottai District.
- 5.The Panchayat President,
Pulvayal Panchayat,
Illuppur Taluk,
Pudukkottai District.



WEB COPY



W.P.(MD) No.22791 of 2024

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

Mrn

W.P.(MD) No.22791 of 2024

14.10.2024