



WEB COPY



W.P.(MD)No.25287 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.25287 of 2024

Senthilkumar

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The District Revenue Officer,
District Revenue Office,
Theni, Theni District.

3.The Block Development Officer,
Aundipatti, Theni District.

4.The Tahsildar,
Taluk Office, Aundipattai,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to provide 24 feet common pathway in Survey No.60/4 which was classified as Government Poramboke land situated at Thekkampatti Village, Aundipatti Taluk, Theni District for the welfare of the Thekkampatti Village people based on the petitioner's representation dated 23.09.2024.

For Petitioner : Mr.S.Muniyandi

For R1, R2 & R4 : Mr.A.Kannan

Additional Government Pleader



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For R3

: Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

This writ petition is filed to direct the first respondent to provide a common pathway in the Government Poramboke land situated at Thekkampatti Village, Aundipatti Taluk, Theni District for the welfare of the Thekkampatti Village people based on the petitioner's representation dated 23.09.2024.

2.Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondents 1, 2 and 4. Ms.D.Farjana Ghoushia, learned Special Government Pleader, takes notice for the third respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4.The grievance of the petitioner is that the petitioner is the real estate developer. He developed the petition mentioned properties into plots and sold the same to various individuals. The purchasers are using the Government land as pathway to reach their properties. Therefore, the petitioner seeks a direction to allot the Government land for the purpose of using the same as pathway by the villagers.



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5.Considering the facts and circumstances of the case, this Court is of the view that the petitioner is trying to expose the cause of the others. For such purpose, the petitioner has to file a Public Interest Litigation and this writ petition cannot be maintained. Further, the petitioner sold the property to the beneficiaries /purchasers showing some other land as pathway. Now, he wants to use the Government land as pathway. Hence, the relief sought for by the petitioner cannot be granted. It is for the petitioner to work out his remedy in the manner known to law.

6.Accordingly, this writ petition is dismissed. No costs.

24.10.2024

NCC:yes/no
Index:yes/no
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To

- 1.The District Collector,
Theni District, Theni.
- 2.The District Revenue Officer,
District Revenue Office,
Theni, Theni District.
- 3.The Block Development Officer,
Aundipatti, Theni District.
- 4.The Tahsildar,
Taluk Office, Aundipattai,
Theni District.



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N.SATHISH KUMAR, J.

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