



W.P.No.10665 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10665 of 2025

SAGAYAMATHA CHURCH,
REP. ITS
PARISH PRIEST,
FR. P. VICTOR PAULRAJ,
S/O. M.PICHAIMUTHU,
VEERAPANDI PIRIVU,
JOTHIPURAM,
COIMBATORE- 641 047.

... Petitioner

Vs

1. THE DISTRICT COLLECTOR,
COIMBATORE DISTRICT,
COIMBATORE.
2. THE REVENUE DIVISIONAL OFFICER,
COIMBATORE NORTH,
COIMBATORE - 641 030.
3. TAHSILDAR,
COIMBATORE NORTH TALUK,
COIMBATORE- 641 018.
4. THE MANAGER,
GOVERNMENT PRESS OF INDIA,
VEERAPANDI VILLAGE,
PRESS COLONY,
COIMBATORE- 641 019.
5. THE EXECUTIVE ENGINEER,
CENTRAL PUBLIC WORKS DEPARTMENT,
KAVULI BROWN ROAD,
VINCENT COLONY,
R.S.PURAM, COIMBATORE- 641 002.

... Respondents



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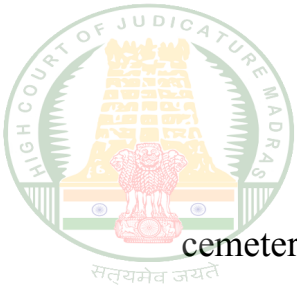
Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing respondents to consider the representation of the petitioner dated 23.12.2024 and 04.01.2025 thereby direct the fourth and fifth respondents not to put up any construction over the pathway, lying in survey No.413, 412, 410, 549 and 550.

For Petitioner	: Mr.B.Jawahar
For R1 to R3	: Mr.R.Balamurugan Government Advocate
For R4 & R5	: Mr.R.Rajesh Vivenkandan Deputy Solicitor General of India

ORDER

This writ petition is filed with the cause title reading Sagayamadha Church, represented by its Parish Priest, Fr. P. Victor Paulraj. However, the writ petition is treated as filed individually by Father P. Victor Paulraj.

2. The grievance of the petitioner is that there is a church and cemetery located in S.No.551 of Veerapandi village. According to the petitioner, the only access to the church and cemetery is the pathway currently in use, which runs through Survey Nos. 410, 412, 413, 549, and 550. Suddenly, the pathway is being intercepted and the fourth respondent is constructing buildings on Survey Nos. 549/1 and 549/2. There is no other access to the church or



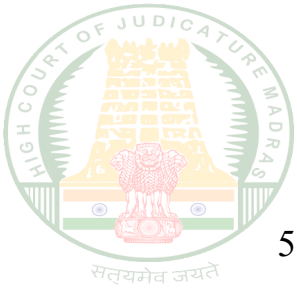
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cemetery and hence, the petitioner has made a representation and is before this

WEB COPY Court.

3. When the matter came up for admission, the learned Government Advocate appearing on behalf of respondents 1 to 3, would submit that Survey No. 410 belongs to a private individual, while Survey Nos. 412, 413, 549/1, and 549/2, 550 belong to the Government of India and the same has been allocated to the Government Press of India. For the purposes of the said organization, now the Central Public Works Department has taken up certain construction works. Therefore, the petitioner cannot claim any right to the same pathway. The petitioner also has alternative access through other revenue land.

4. *Mr.R.Rajesh Vivekanandan*, the learned Deputy Solicitor General of India appearing for the fourth respondent would submit that the land is allotted for the Government Press of India and construction is now carried out for the said purpose. Even at the time of allotment of the land, the dispute with reference to the pathway was raised and only after satisfying that there is other pathway to the church and the cemetery, the land was allotted to the fourth respondent.



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5. I have considered the rival submissions made on either side and perused the material records of the case.

6. If an alternative pathway is available to the church and cemetery, the third respondent shall consider the petitioner's representation dated 23.12.2024 and reply can be given to the representation by indicating the survey numbers through which the pathway exists. The petitioner and other members of the church, as well as those using the cemetery, can use the said pathway. If the petitioner claims there is no alternative pathway, the petitioner shall make a specific representation stating that no pathway exists and the respondents shall consider this claim. If necessary, a pathway may be created by acquiring private land or they can demarcate and delineate such pathway through the Government poramboke land for the church and cemetery users. The respondents shall complete this process of considering the representation and passing orders within eight weeks from the date of receipt of the web copy of this order, without waiting for the certified copy. No costs.

25.03.2025

Neutral Citation: Yes/No
nsl



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To

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