



WP No. 13548 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 13548 of 2022

AND

WMP NO. 12748 OF 2022

1. Mumtaj

W/o. Syed Abdul, 81A, 7th Street,
Lakshmi Nagar, Kolathur, Thiruvallur
600 009

2. Shahidha

W/o. Abdul Malik, 2/46, Main Road,
Palliamattu, Meenampur, Villupuram
604 205

3. Shakeela

W/o. Abdul Khader, 1-A, Senrayan
Street, Line medu Gugai, Salem 636
008

4. Mahaboob Jan

W/o. Farooq, D.No. 57, Chinna Madhar
Street, Tirupathur 635 601

5. Sartaj

W/o. Mohamed Jabar, D.No. 966,
Ramapuram, Mampattu,



WP No. 13548 of 2022



Tiruvannamalai 606 803

6. Mahartaj

W/o. Abubacker, Rajamangalam 1st
Street, Villivakkam, Chennai 49

7. Jakkia,

W/o. Mohamed Ali @ Settu, 71,
Narayana Nagar, Uthangarai 635 207

Petitioner(s)

Vs

1. The District Collector
Thiruvannamalai District,
Thiruvannamalai

2. The Revenue Divisional Officer
Thiruvannamalai 606 601

3. The Tahsildar
Sengam Taluk, Thiruvannamalai
District 606 701

4. The Block Development officer
Sengam Taluk, Thiruvannamalai
District 606 701

5. The President
Pakkiripalayam Panchayat, Sengam
Taluk, Thiruvannamalai District, 606
701

Respondent(s)



PRAYER

Writ petition has been filed for the issue of writ of Mandamus forbearing the Respondents herein from putting up constructions in S.F. No. 259/1B (Poromboke lands) thereby preventing the ingress and egress of the petitioners to approach the Chengam- Neepathurai Main Road from their lands in S.F. No. 259/ 2B4 situate at Pakkiripalayam Village, Sengam Taluk, Thiruvannamalai district.

WP No. 13548 of 2022

For Petitioner(s): K. Govi Ganesan

For Respondent(s): Mr.A.Selvendran

Special Government Pleader for
R1 to R3

Mr.P.Ganesan, Government
Advocate for R4 and R5

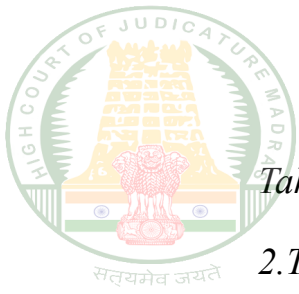
ORDER

This writ petition has been filed for the issue of writ of Mandamus forbearing the respondents from putting up any construction in SF No.259/1B and thereby preventing the petitioner from ingress and egress to her property situated in SF No.259/2B4.

2. When the matter came up for hearing on 19.02.2025, this Court passed the following order :-

When the matter was taken up for hearing today, the written

instructions received from the 3 rd respondent namely, the



Tahsildar, Sengam Taluk was placed before this Court.

2.The Tahsildar has taken a stand that the petitioners are not utilizing their patta lands and each of the petitioner is living in a different place. Therefore, the patta cannot be issued for the property which is the access to the property belonging to the petitioners, since it is categorised as 'Poromboke lands'.

3.The written instructions received from the Tahsildar does not talk about the compliance of the interim order passed by this Court on 01.06.2022, wherein this Court had issued the following directions: “2.According to the learned counsel for the petitioners, the respondents have commenced construction activities in survey No.259/1B, which would cause serious prejudice to them, since their only access would be blocked.

3.The issue as to whether the respondents could be prevented from putting up such constructions, can be deliberated at later stage. However, in order to facilitate the access to the petitioners' property, there shall be an interim direction to the respondents 4 & 5 to grant access from the petitioners' property to the nearest main road through survey No.259/1B with a width of 6 feet, pending disposal of the present writ petition.”

4.The learned counsel for the petitioners submitted that the petitioners are not in a position to utilise their patta lands since the access has been completely blocked and the interim direction



issued by this Court was also not complied with.

5. The respondents 3 & 5 are directed to come up with their specific stand regarding the interim direction that was passed by this Court and report compliance of the same.

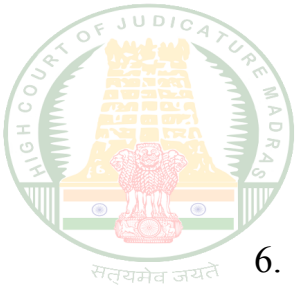
6. Post this case for hearing on 25.02.2025.

3. When the matter was once again listed on 06.03.2025, this Court passed the following order :-

When the matter was taken up for hearing today, the learned Special Government Pleader submitted that the interim directions passed by this Court has been complied with and that a culvert has now been constructed in order to enable the petitioner to access the main road from her property. There is no representation for the petitioners. The learned counsel for the petitioners shall take instructions. Post this writ petition on 13.3.2025.

4. When the matter was taken up for hearing today, the learned Additional Government Pleader submitted that already the panchayat building has been constructed and insofar as the access to the petitioner, the access has been given to the petitioner by constructing a culvert.

5. The learned counsel for the petitioner submitted that inspite of their best efforts, they are not in a position to get the instructions from the petitioner.



WEB COPY

6. Taking into consideration the facts and circumstances of the case and the submissions made on either side, it is quite clear that panchayat building has already been constructed. But however a culvert has now been constructed in order to enable the petitioner to access the main road from her property. Hence, no further orders are required to be passed in this writ petition.

7. This writ petition is disposed of accordingly. No costs. Consequently the connected miscellaneous petition is closed.

13-03-2025

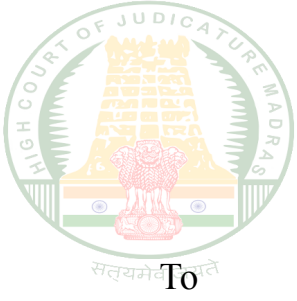
rka

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 13548 of 2022



WEB COPY

- 1.The District Collector
Thiruvannamalai District,
Thiruvannamalai
- 2.The Revenue Divisional Officer
Thiruvannamalai 606 601
- 3.The Tahsildar
Sengam Taluk, Thiruvannamalai
District 606 701
- 4.The Block Development officer
Sengam Taluk, Thiruvannamalai
District 606 701
- 5.The President
Pakkiripalayam Panchayat, Sengam
Taluk, Thiruvannamalai District, 606
701



WEB COPY

WP No. 13548 of 2022





WEB COPY

WP No. 13548 of 2022



N.ANAND VENKATESH J.
rka

WP No. 13548 of 2022
WMP NO. 12748 OF
2022