



W.P.No.14832 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM :

THE HONOURABLE MRS. JUSTICE N. MALA

W.P.No.14832 of 2025
and WMP.No.16735 of 2025

1. A.Lurdamari
2.S.Sagayamary
3.A.Lourdhasami

... Petitioners

vs

1.The Collector of Kallakurichi District
Collectorate, Kallakurichi

2,The Revenue Divisional Officer
Kallakurichi, Kallakurichi District.

3.The Revenue Tahsildar
Vanapuram Taluk Office
Vanapuram Taluk, Kallakurichi District
4.The Executive Officer
First Grade Panchayat Office
Vanapuram Taluk, Kallakurichi District

5.The President
Manulurpettai Panchayat Union
Manalurpettai – 605 754.
Vanapuram Taluk, Kallakurichi District.

... Respondents



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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 to 3 to forbear the respondents 4 and 5 from constructing public toilet or any other construction / building in the Government poromboke land measuring 0.05 cents comprised in S.No.189/45, which petitioner is using as pathway to reach her lands measuring 51 cents, comprised in S.No.52/12 in Sithapattinam village limit, Manalurpettai Village, Vanapuram Taluk, Kallakurichi District by considering the petitioner's representation dated 26.03.2025 and to pass such further or other orders.

For Petitioners : Mr.T.Dhanasekaran

For Respondents : Mr.M.Rajendran, AGP for R1 to R3
Mr.K.Suresh, GA for R4.

ORDER

This writ petition has been filed to direct the respondents 1 to 3 to forbear the respondents 4 and 5 from constructing public toilet or any other construction / building in the Government poromboke land measuring 0.05 cents comprised in S.No.189/45, which petitioner is using as pathway to reach her lands measuring 51 cents, comprised in S.No.52/12 in Sithapattinam village limit, Manalurpettai Village, Vanapuram Taluk, Kallakurichi District by considering the petitioner's representation dated 26.03.2025 and to pass such further or other orders.



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WEB CO2. The petitioner's father Sundraju purchased the punja land measuring 51 cents in S.No.52/12 by way of registered sale deed and in turn sold the said land to the first petitioner on 25.01.1989 in Doc.No.49 of 1989 and patta No.890. The petitioner is in continuous possession and enjoyment of above lands for last 6 decades and the 1st petitioner sub divided the land and settled part of the land in favour of her brother/2nd petitioner and her brother's daughter/3rd petitioner by way of settlement deeds and in possession and enjoyment of the said property without any interruption. The petitioner using the land in S.No.189/45 as pathway to reach their lands, which belongs to the Government, as per revenue records they are paying charges under B Memo to the Avalurpettai panchayat union and the S.No.189/45 is the only way to ingress and egress to the petitioners property. The 5th respondent is intended to construct a public toilet in the S.No.189/45, for which they have also passed a resolution in the meeting. The petitioners have made oral representation to the respondents and also made a representation dated 26.03.2025 and made objections for constructing the public toilet in S.No.189/45, but there is no positive reply from the respondents. Hence, the petitioner filed the present writ petition.



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WEB CO-3. Mr.M.Rajendran, learned Additional Government Pleader takes notice for

R1 to R3. Mr.K.Suresh, learned Government Advocate takes notice for R4. The learned Government Advocate appearing for R4 would submit that the representation of the petitioner dated 26.03.2025, will be considered on merits and in accordance with law, within the time frame stipulated by this Court.

4. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Government Advocate appearing for R4 and perused the materials available on record.

5. This Court directs the fourth respondent to consider the representation of the petitioners dated 26.03.2025, by conducting detailed enquiry, after giving due notice to the petitioner, opportunity of personal hearing, to consider the documents filed by the petitioner on merits, and in accordance with law, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.



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6. This writ petition is disposed of, with the above observations and directions.

No costs. Consequently, connected miscellaneous petition is closed.

23.07.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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N. MALA, J.

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