



W.P.No.44791 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.44791 of 2025

R.Guberan

... Petitioner

-VS-

1. The District Collector,
Dharmapuri District.
2. The District Revenue Officer,
Dharmapuri District.
3. The Revenue Divisional Officer,
Harur Taluk, Dharmapuri District.
4. The Tahsildar,
Pappireddipatti Taluk,
Dharmapuri District.
5. The Block Development Officer,
Harur Taluk, Dharmapuri District.
6. K.Mohan
7. K.Sakthi
8. Shanmugam
9. Munusamy

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider and dispose the petitioner's representation dated 19.04.2025 and consequently direct the respondents to remove all private encroachments and lay a proper tar road



W.P.No.44791 of 2025

in the common pathway as recorded in Arur Document No.167/1985, having a width of 32 links (approximately 6.04 meters) and running for a length of 3 kilometres, by sub-dividing the same as a proper tar road.

For Petitioner : Ms.M.P.Gunasri

For R1 to R5 : Mr.T.Arun Kumar
Addl. Govt. Pleader

ORDER

(By.S.M.SUBRAMANIAM,J.,)

The relief sought for in this writ petition is to direct the respondents to consider and dispose the petitioner's representation dated 19.04.2025 and consequently direct the respondents to remove all private encroachments and lay a proper tar road in the common pathway as recorded in Arur Document No.167/1985, having a width of 32 links (approximately 6.04 meters) and running for a length of 3 kilometres, by sub-dividing the same as a proper tar road.

2. Learned counsel for the petitioner would submit that owners of the land agreed to form a common pathway and submitted a representation along with necessary documents. Since it was not considered, the present writ petition came to be instituted.



W.P.No.44791 of 2025

3. The fact remains that a Suit in O.S.No.85 of 2022 has been instituted to declare the subject portion of the property as a pathway. Admittedly, the subject property is a private property and a patta land and no gift deed has been executed in favour of the Government. It continued to be a private property and therefore, the writ petition is not maintainable. Since a suit has been rightly instituted, the parties are at liberty to work out their remedy before the competent Civil Court in the manner known to law.

With the above observation, the Writ Petition stands dismissed. No costs.

(S.M.S,J.) (C.K,J.)
03.12.2025

Index: Yes
Internet: Yes / No
ar



WEB COPY



W.P.No.44791 of 2025

S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.
ar

To:

1. The District Collector,
Dharmapuri District.
2. The District Revenue Officer,
Dharmapuri District.
3. The Revenue Divisional Officer,
Harur Taluk, Dharmapuri District.
4. The Tahsildar,
Pappireddipatti Taluk,
Dharmapuri District.
5. The Block Development Officer,
Harur Taluk, Dharmapuri District.

W.P.No.44791 of 2025

03.12.2025