



W.P.No.25039 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25039 of 2024

Kannagi

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Namakkal.

2. The District Revenue Officer,
The District Collectorate,
Namakkal.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Namakkal District.

4. The Tahsildar,
Rasipuram,
Namakkal District.

5. Rajendran

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the fourth respondent to remove the barbed fence in the pathway in S.No.422/2C in consonance of his own order in Na.Ka.No.12946-2020(B1) dated 12.06.2021 within a time as stipulated by this Court.



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W.P.No.25039 of 2024

For Petitioner : Mr.Mahasree Thangaraj
For Respondents : Mr.P.Balathandayutham
For R1 to R4 : Mr.P.Balathandayutham
Special Government Pleader

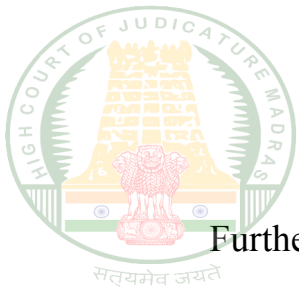
ORDER

This writ petition has been filed for direction directing the fourth respondent to remove the fence in S.No.422/2C, as per the order dated 12.06.2021.

2. The petitioner owned land comprised in survey number in S.Nos.435/2, 435/2 situated at R.Pudhupatti Village, Rasipuram Taluk, Namakkal District. To reach his property, he has right to use the pathway lying in S.No.422/2C. However, the fifth respondent covered the pathway by using barbed fencing so that the petitioner and other public are prevented from using it.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. It is seen that the pathway is very much available as per the revenue records in S.No.422/2C which belongs to the fifth respondent.



W.P.No.25039 of 2024

Further there is a cart track found as per the revenue records as such the fourth respondent conducted detailed enquiry and passed order on 12.06.2021 thereby directing the revenue officials to remove the obstruction put up by the fifth respondent in the public pathway. However, the obstruction put up by the fifth respondent is not yet removed.

5. Considering the above facts and circumstances, the fourth respondent is directed to comply its own order dated 12.06.2021 with the help of Police aid and to remove the obstruction such as barbed fence put up in the land comprised in S.No.422/2C, within a period of two weeks from the date of receipt of a copy of this Order.

6. With the above directions, the writ petition stands disposed of. There shall be no order as to costs.

28.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



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W.P.No.25039 of 2024

G.K.ILANTHIRAIYAN. J.

rts

To

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2. The District Revenue Officer,
The District Collectorate,
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