



WEB COPY



W.P.No.28416 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM:

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

W.P.No.28416 of 2024

&

WMP.No.30985 of 2024

U. Pappathi

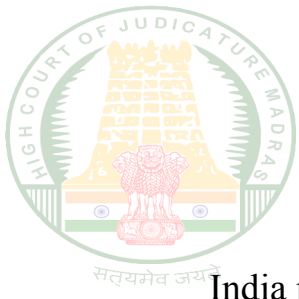
... Petitioner

Vs.

1. The State of Tamil Nadu,
represented by its Secretary,
Home Department,
Fort St. George,
Chennai 600 009.
2. The District Collector,
Erode District, Erode.
3. The Superintendent of Police,
Erode District, Erode.
4. The Inspector of Police,
Ammamet Police Station,
Andhiyur Taluk,
Erode District.
5. M.Thangarasu Vathiar
6. Mani @ Balasubramaniam
7. K. Mohan
8. R.Satish
9. 9. A. Jayavel

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



W.P.No.28416 of 2024

WEB COPY

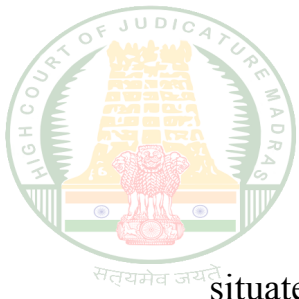
India praying for issuance of Writ of Mandamus to direct the respondents 1 to 4 to take suitable action against the respondents 5 to 9 based on the complaint of the petitioner dated 03.09.2024 for having conducted the Katta Panchayat and for imposing Kangaru Court decision for blocking the pathway-cum-cart track in R.S.Nos.52/11 and 52/12, situated at Attavanaipudur Village, Andhiyur Taluk, Erode District and consequently direct the respondents to permit the petitioner to have free ingress and egress to the pathway-cum cart track in R.S.Nos.52/11 and 52/12 situated at AttavanAipudur Village, Andhiyur Taluk, Erode District.

For Petitioner : Mr. K. Selvaraj

For Respondents : Mr. A. Gopinath
Govt. Advocate (crl.side)-R1 to R4
Mr. E.P.Senniyangiri for R5 to R9

ORDER

This Writ Petition has been filed seeking a direction to direct the respondents 1 to 4 to take suitable action against the respondents 5 to 9 based on the complaint of the petitioner dated 03.09.2024 for having conducted the Katta Panchayat and for imposing Kangaru Court decision for blocking the pathway-cum-cart track in R.S.Nos.52/11 and 52/12,



W.P.No.28416 of 2024

WEB COPY

situated at Attavanaipudur Village, Andhiyur Taluk, Erode District and consequently direct the respondents to permit the petitioner to have free ingress and egress to the pathway-cum cart track in R.S.Nos.52/11 and 52/12 situated at Attavanaipudur Village, Andhiyur Taluk, Erode District.

2. According to the petitioner, on account of a property dispute, the petitioner along with her brother and her sister sent a legal notice dated 22.08.2024 to her maternal grandfather and maternal uncles viz., A.Chinnasamy, A.Perumal and the legal heirs of A.Semmana Gounder and others demanding partition of the property of petitioner's mother. On receipt of legal notice, her maternal grand fathers and maternal uncles along with others gave a complaint against the petitioner to the Kattapanchayatdars of the village/respondents 5 to 9 herein. On 27.08.2024, it was decided in Katta Pachayat meeting that females of the said village should not demand their share in the property of their family or in their ancestral properties and it was further decided in the meeting that the petitioner and her brother and sister should withdraw the legal



W.P.No.28416 of 2024

WEB COPY

notice. Since the petitioner and her brother and sister did not withdraw the legal notice, they implemented the decision of the Kattapanchayatdars on 28.08.2024 by blocking the pathway in RS.No.52/11 and 52/12 with stones and waste materials, thereby preventing the petitioner and her husband from going through the cart track to attend the Banana thope. Due to the action of the respondents 5 to 9, the petitioner and her husband is not able to harvest the banana bunches hanging inside the Banana thope. As the action of the Kattapanchayatdars are totally arbitrary and unreasonable and against the provisions of Hindu Succession Act, 1956 and the Hindu Succession (Amendment) Act, 2005, the petitioner gave a representation dated 03.09.2024 to the respondents 1 to 4 requesting them to take suitable action against them and also to remove the blockages dumped in the pathway/cart track in RS.Nos.52/11 and 52/2. However, till date, no action has been taken on the representation of the petitioner, hence the petitioner has filed the present writ petition for the aforesaid relief.

3. The learned Govt. Advocate (crl.side) appearing for the



W.P.No.28416 of 2024

WEB COPY

respondents 1 to 4 would submit that the representation given by the petitioner is still pending consideration.

4. Considering the facts and circumstances of the case, the 4th respondent is directed to conduct enquiry on the representation given by the petitioner after issuing notice to the petitioner and the respondents 5 to 9 and dispose of the same within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

20.02.2025

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



WEB COPY



W.P.No.28416 of 2024

G.K.ILANTHIRAIYAN, J.

msr

To

1. The Secretary,
Home Department,
Fort St. George,
Chennai 600 009.
2. The District Collector,
Erode District, Erode.
3. The Superintendent of Police,
Erode District, Erode.
4. The Inspector of Police,
Ammamet Police Station,
Andhiyur Taluk,
Erode District.

W.P.No.28416 of 2024

&

WMP.No.30985 of 2024

20.02.2025