



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 33625 of 2025

K.Murugesan

Petitioner

Vs

1. The District Collector
Namakkal District.

2.The Revenue Divisional Officer
Thiruchengode, Namakkal District.

3.The Tahsildar
Kumarapalayam Taluk,
Namakkal District.

4.The Block Development Officer
Pallipalayam Panchayat Union,
Namakkal District.

5.Dhanasekaran

Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of mandamus, directing the respondents 1 to 5 to conduct survey in S.F. No.347/1A10 Kumarapalayam Amani village classified



as Road /Pathway as on ground, demarcate encroachments and remove the same by considering petitioners representation dated 02.06.2025 and reminder dated 28.07.2025 within the time fixed by this court.

For Petitioner: Mr. R.Prabakar

For Respondents: Mr.C.Jayaprakash, GA- R1 to R4
Mr. C. Munusamy - R5

ORDER

Writ Petition has been filed seeking a direction to respondents 1 to 5 to conduct a survey in S.F. No. 347/1A10, situated at Kumarapalayam Amani Village, which is classified as Road/Pathway ground, to demarcate the encroachments, and to remove the same by considering the petitioner's representation dated 02.06.2025.

2. The case of the petitioner is that he also owns property in S.No. 345/7B at Kumarapalayam Amani Village, Namakkal District. To reach the petitioner's property, access through the pathway running in Survey No. 347/1A10, Kumarapalayam Amani Village, is required. The said pathway is owned by the petitioner and others. However, the petitioner and the general public are not



being permitted to use the said pathway. Hence, the petitioner submitted a representation to the respondents-authorities requesting a survey of the subject land as per the revenue records.

3. Learned Counsel for the 5th respondent submitted that though the petitioner is one of the owners of the subject property, since he has no title over the specific portion under dispute, he cannot seek a survey of that part of the property. It was further submitted that even if it is patta land owned by the petitioner and others, any cart track or pathway existing therein, as per the revenue records, cannot be obstructed by the landowners and must remain open for use by the general public.

4. The specific case of the petitioner is that, according to the revenue records, the subject land is classified as Poosthuthi Pathai, but the 5th respondent has obstructed the general public to use the same .

5. In view of the above, the 3rd respondent is directed to survey the subject property as per the revenue and original records, after issuing notice to all parties including the 5th respondent, and submit a report to the petitioner. If it



is found that any cart track or pathway exists in the said property, the 5th respondent shall not object to its use by the general public.

6. It is further made clear that, if the surveyor faces any obstruction from the respondents or any third parties while conducting the survey, the surveyor may approach the jurisdictional police seeking necessary protection. Upon such a request, the jurisdictional police shall provide adequate protection to enable completion of the survey.

7. With the above directions, the Writ Petition stands disposed of. No costs.

22-10-2025

Index: Yes/No

Internet: Yes

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To
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G.K.ILANTHIRAIYAN, J.

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