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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**W.P.No.34609 of 2025
and WMP No.38793 of 2025**

Dr.T.R.Ghurunaath

... Petitioner

v.

1. The District Collector,
Villupuram District,
Collectorate Office,
Vippuram-605 602.

2. The Tahsildar,
Villupuram Taluk,
Villupuram District-605 602

3.The Commissioner,
Villupuram Municipality
Municipal Office,
Villupuram-605 602.

4. The Superintending Engineer (H),
Construction & Maintenance,
Highways Department,
Ellis Chatram Road, Vazhudha Reddy,
Villupuram-605 401.



5. The Divisional Engineer,
Highways Department
Villupuram Division
Villupuram-605 602.

... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the third respondent herein to consider and dispose of the Petitioner's detailed representations dated 19.07.2025 in accordance with law, after affording due opportunity to the Petitioner, within a time frame fixed by this Court.

For Petitioner	: Mr.P.Dinesh Kumar
For Respondents	: Mr.L.S.M.Hasan Fizal
	AGP for R1, R2, R4 and R5
	Dr.T.Srinivasan, SGP for R3

ORDER

The petitioner claims to be a medical doctor. He states that his maternal aunt, one, Tmt.Kuppammal, had purchased a property to an extent of 3000 sq.ft. comprising S.No.323/4B of Poonthottam Village, Villupuram Taluk and District. The said Kuppammal had executed a registered 'Will' in favour of him and his brother favour, Dr.T.R.Gopinath on 23.12.1993. She passed away on 09.02.1994. Thereafter, the petitioner released his right in favour of his brother in 2006. After enjoying the property for a few years, Dr.T.R.Gopinath executed a settlement deed on



25.11.2021, in favour of the petitioner. As on today, the petitioner is the absolute owner of the property.

2. He claims that the property can be accessed only through the Ellis Chatram Road, Chennai-Thiruchirappali Bypass Road. Abutting his land, he claims that there is a property which belongs to the State of Tamil Nadu but had been encroached by the Municipality. He pleaded that he came to know that the Municipality has proposed to put up a construction over the said land which would adversely affect his access to the property. Hence, he gave a representation on 19.07.2025, pleading that the third respondent should not put up a construction, thereby affecting his access.

3. Taking note of the allegations made in the affidavit, I granted an order of *status quo*. I further directed Dr.Srinivasan, learned counsel appearing for the third respondent to survey the property and come up with the report as to whether the petitioner continues to enjoy access even after the construction is put-up by the Municipality in S.No.12 of the



aforesaid village. In compliance with the order, the surveyor deputed by the Tahsildar, Villupuram, surveyed the property and has submitted the following report:

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விஜயபுரம் வகுறையம் வட்டமடியாரிதீ கந்தையிதீ
செவ்வாறு உயர் நீதிமன்ற வழக்கு எண் WP NO: 34609/2025
தேவையாக கந்தையம் கிராமம் புல எண் 223/481B மத்தியம்
வகுறையம் கிராமம் புல எண் 51-ல் அளவுப்பணி மேற்கொள்ளப்
பட்டது. மேற்கண்ட வகுறையம் கிராமம் புல எண் 51-ல் வட்ட
புறம் பரப்பு (ரோடு) 0.67-00 ஏக்கர் அளவு, கந்தையம்
கிராமம் புல எண் 223/481B- 0.02-50 ஏக்கர் பட்டா எண்
2494. ராஜகிராமம் மகன் குகநாத் எவ்வரி நாயகர்
கிராம கணக்குகளில் பதிவுப்பட்டுள்ளது. மேற்படி வகுறையம்
கிராமம் புல எண் 51-ல் 0.02-80 ஏக்கர் பரப்பளவில் நகராட்சி
தனது கார்பஸ் கட்டுதல் அலுவலகம் கட்டியுள்ள வகுறையம்
கந்தையம் கிராமம் புல எண் 223/481B-ல் 0.02-50 ஏக்கர்
பரப்பளவில் சி. ராஜகிராமம் மகன் குகநாத் எவ்வரி
சிறப்புதல் அமைந்துள்ளார். மேலும் மேற்படி குகநாத் எவ்வரி
மகன்கள் மேற்படி பக்கமாக வகுறையம் கிராமம் புல எண் 51-ல்
உள்ள ஏக்கர் பரப்பளவில் 6-0 மீ அகலத்தில் தாள் காவல் பட்டால்
உள்ளது. மேலும் வகுறையம் கிராமம் புல எண் 51-ல் உள்ள இடம்,
வகுறையம் கிராமம் புல எண் 51-ல் உள்ள ஏக்கர் பரப்பளவில்
கந்தையம் கிராமம் புல எண் 223/481B-ல் உள்ள மகன்களின்
செவ்வாறு, வகுறையம் கிராமம் புல எண் 51-ல் (நகராட்சி) தனது
கட்டுதல் பட்டால் அமைந்துள்ள இடம் மத்தியம் கந்தையம் கிராமம் புல
எண் 223/481B-ல் சி. ராஜகிராமம் மகன் குகநாத் எவ்வரி அமைந்துள்ள
பதி சிறப்புதல் தனதுதனது பட்டால் மகன்களின் கந்தையம் கிராமம்
கிராமம் கந்தையம் எவ்வரி தனதுதனது கந்தையம் கிராமம் கந்தையம்

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VILLUPURAM MUNICIPALITY

Roc.No.6237/2025/F1



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Villupuram District
VILLUPURAM MUNICIPALITY

Roc.No.6237/2025/F1



4. Together with the report, he has also produced photographs (which are geo-tagged) to show that the petitioner has erected a compound wall around his property and that there is a 6 meter road through which the petitioner has direct access to the Chennai-Tiruchirapalli Bypass National Highway.



5. Perusal of the surveyor's report, as well as the photographs show that the petitioner has deliberately suppressed the fact that he has direct access to the 6 meter road and has set forth as if the access to his property is only through S.No.12 which is situated on the western side of his property.

6. It is unfortunate that a highly educated professional like the petitioner should utter false statements, mislead the Court and obtain an interim order. On account of the petitioner's conduct, the project which has been undertaken by the Municipality has come to a halt, albeit temporarily. On the merits, I find that there exists an access to the petitioner's property through a metalled road on the eastern side. The allegation that the petitioner has access only through western side is a false one. In fact, he has put a compound wall all around his property.

6. Hence, the writ petition is dismissed. The petitioner shall pay a sum of Rs.5,000/- as costs for the survey conducted by the Municipality. In addition, he shall also pay a sum of Rs.10,000/- as costs



to the Municipality for having obtained an interim order on the basis of false affidavit filed before this Court. Consequently, connected miscellaneous petition is closed.

17.09.2025

Index : Yes/No
Internet : Yes/No
Neutral
Citation : Yes/No
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V. LAKSHMINARAYANAN J.



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10

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