



W.P.(MD)No.2988 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.2988 of 2025

Saravanan

... Petitioner

/Vs./

1.The District Collector,
Collectorate,
Pudukkottai.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

4.The Firka Surveyor,
Embal Revenue Firka,
Embal, Avudaiyarkovil Taluk,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to detail the Nilaviyal Pathai of the petitioner's house passed through Sy.No.240/2, 240/4 and 240/5 of Vayalangudi Village, Avudaiyarkovil Taluk,



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Pudukkottai District in the light of the proceedings of the third respondent in Na.Ka.345/2002/A3 dated 18.09.2002 within the time frame fixed by this Court.

For Petitioner : Mr.R.Paranjothi
for M/s.KBS Law Office
For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

The writ petition has been filed for issuance of writ of mandamus to direct the respondents to detail the Nilaviyal Pathai of the petitioner's house passed through Sy.No.240/2, 240/4 and 240/5 of Vayalangudi Village, Avudaiyarkovil Taluk, Pudukkottai District.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

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



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4. In Na.Ka.No.345/2002/A3, dated 18.09.2002 the Tahsildar has passed an order directing the Nilaviyal Pathai to be detailed. It is the case of the petitioner that despite the said order of the Tahsildar, the officials are not implementing the same, resulting in, the petitioner facing difficulties and frequent obstructions in the pathway.

5. The learned Government Advocate appearing for the respondents would submit that there are two temples namely Lingeshwaran temple in S.No.240/4 and Sonaiyan Temple in S.No.240/5 and therefore, any orders that have to be passed only after hearing the said temple authorities.

6. Considering the fact that the Tahsildar's order dated 18.09.2022 in Na.No.345/2002/A3 appears to have become final, the petitioner is certainly entitled for a direction as sought, however, the orders have been passed more than 20 years back, the third respondent shall conduct an enquiry and if it is found that the earlier order dated 18.09.2002 has not been challenged and that it has become final, then the third respondent shall detail the Nilaviyal Pathai of the petitioner's house.



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While doing so, the third respondent shall also hear the two temple authorities namely Lingeshwarar temple and Sonaiyan temple since their rights which may be affected in the process of detailing the pathway of the petitioner's house.

7. The third respondent shall conduct an enquiry and pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

8. Accordingly, the writ petition is disposed of with the above direction. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.2988 of 2025

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03.02.2025