



W.P.(MD)No.3915 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3915 of 2024

and

WMP (MD) No.3804 of 2024

1. Andiya Gounder

2. Alaga Gounder

: Petitioners

Vs.

1. The District Collector,
Trichy District.

2. The Tahsildar,
Manapparai, Trichy District.

3. The Block Development Officer,
Manapparai Union, Trichy District.

4. The Panchayat President,
F.Keelaiyur Village Panchayat,
Manapparai Union, Trichy District.

5. Chinnu

(R5 is pmplead vide Court Order
dated 05.03.2025 in WMP(MD)
No.13177 of 2024)

: Respondents



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PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st to 4th respondents to restraining to lay the road in petitioners land in Survey Nos.297/4A, 4B and 347/7B, 7C and consider petitioners representation dated 18.02.2024.

For Petitioners : Mr.M.Mahendran

For Respondents : Mr.K.S.Selvaganesan

Government Advocate for R1 and R2

Mr.D.Sasi Kumar for R3 and R4

Mr.P.Ganapathi Subramanian for R5

ORDER

This writ petition has been filed for issuance of a writ of mandamus, directing the respondents 1 to 4 to refrain from laying a road on the petitioner's land in Survey Nos. 297/4A, 297/4B, 347/7B, and 347/7C and to consider the petitioner's representation dated 18.02.2024.

2. Heard the learned counsel for the parties.

3. When the matter was taken up for hearing today, the learned Additional Government Pleader, on instructions, submitted that the determination of title over the pathway, which is the subject matter of



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the present Writ Petition, ought to be adjudicated before the competent Civil Court.

4. This Court is of the considered view that the dispute raised in the present Writ Petition pertains to the determination of title over the pathway, which involves adjudication of civil rights. Such issues cannot be resolved under Article 226 of the Constitution of India and are to be appropriately decided by a competent Civil Court, based on evidence and documents.

5. In the light of the above, this Writ Petition is dismissed, granting liberty to the petitioner to work out his remedy before the competent Civil Court in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

25.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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