

W.P(MD)No.6688 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P(MD)No.6688 of 2025

Annapoorani

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Block Development Officer,
Vaiyampatty Panchayat Union,
Manapparai Taluk,
Tiruchirappalli District.

3.The Tahsildar,
Taluk Office,
Manapparai,
Tiruchirappalli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records of the first respondent passed in proceedings செ.மு.அ8/1302/2024, dated 18.11.2024 and quash the same as far as serial No.4(10) of the proceedings which relates to formation of WBM Road from Railway bridge to Thandalkaranur in Vaiyampatty Panchayat.

For Petitioner : Mr.T.M.Madasamy



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For R-1 & R-3 : Mr.G.Suriyananth
Additional Government Pleader

For R-2 : Mr.D.S.Nedunchezian
Government Advocate

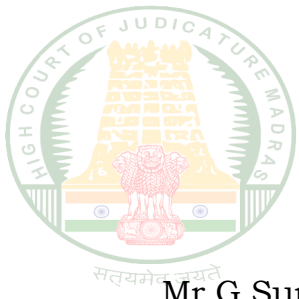
ORDER

The petitioner seeks for the following relief:-

"Writ of Certiorari, calling for the records of the first respondent passed in proceedings 08.00.08/1302/2024, dated 18.11.2024 and quash the same as far as serial No.4(10) of the proceedings which relates to formation of WBM Road from Railway bridge to Thandalkaranur in Vaiyampatty Panchayat."

2. I heard Mr.T.M.Madasamy for the petitioner, Mr.G.Suriyananth for the respondents 1 and 3 and Mr.D.S.Nedunchezian for the second respondent.

3. When I took up the matter for hearing today, Mr.G.Suriyananth appearing for the respondents 1 and 3 and Mr.D.S.Nedunchezian appearing for the second respondent drew my attention to the judgment in O.S.No.282 of 2016, dated 04.07.2019. In terms of the said decree, the civil Court had declared that S.No.318/6B is a cart track from in time immemorial.



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Mr.G.Suriyananth pleads that the road that is being currently laying is only over S.No.318/6B and not over S.No.318/6A, which has been declared to have vested with the writ petitioner's mother.

4. When the civil Court decree is clear and categorical that S.No. 318/6B is a cart track, there cannot be an order in favour of the petitioner restraining the laying of a road. The petitioner can only claim a right over S.No.318/6A and not over S.No.318/6B.

5. In the light of the above discussion, this writ petition stands dismissed. There shall be no order as to costs.

30.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Block Development Officer,
Vaiyampatty Panchayat Union,
Manapparai Taluk,
Tiruchirappalli District.



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3.The Tahsildar,
Taluk Office,
Manapparai,
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V.LAKSHMINARAYANAN, J.

BTR

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