



W.P(MD)No.15381 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15381 of 2025

Kaliyamoorthy

... Petitioner

VS.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Tahsildar,
Kandarvakottai Taluk,
Pudukkottai District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 05.05.2025 within stipulated time as fixed by this Court and consequently, to direct the respondents to pass appropriate orders not to use the petitioner's patta property as a pathway to reach the graveyard situated in Andanur Revenue Village, Kandarvakottai Taluk, Pudukkottai District.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 05.05.2025 within stipulated time as fixed by this Court and consequently,



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to direct the respondents to pass appropriate orders not to use the petitioner's patta property as a pathway to reach the graveyard situated in Andanur Revenue Village, Kandarovakottai Taluk, Pudukkottai District.

2.The contention of the petitioner is that there are four pathways available to reach the graveyard but in order to reach the graveyard in shortcut, the villagers are using the patta land as pathway. Hence, the petitioner is objecting to the same. If the respondents are intended to grant the shortcut pathway, then the respondents ought to acquire the land. The respondents cannot allow the villagers to use the said land as pathway because it is affecting the rights of the petitioner which is granted under Article 300 A of the Constitution of India. Therefore, this Court is inclined to entertain this writ petition.

3.The learned Additional Government Pleader appearing for the respondents submitted that they conducted a peace committee meeting.

4.Such a peace committee meeting cannot be conducted to resolve the issue, if conducted it would curtail the rights of the petitioner. The peace committee meeting cannot be allowed. If at all the respondents want to grant the alternative pathway, the respondents are at liberty to acquire the land and grant pathway not otherwise. Therefore, the respondents are directed to consider the



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petitioner's representation, dated 05.05.2025 and pass orders in accordance to law within a period of twelve weeks from the date of receipt of a copy of this order.

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5.With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

06.06.2025

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

Tmg

To:

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Tahsildar,
Kandarvakottai Taluk,
Pudukkottai District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
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