



W.P(MD)No.14194 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.14194 of 2023

R.Surendran

... Petitioner

Vs

1.The District Collector,
Collectorate,
Pudukkottai District.

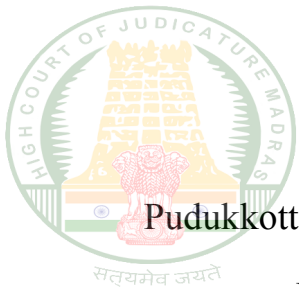
2.The Revenue Tahsildar,
Alangudi Taluk,
Pudukkottai District.

3.The Block Development Officer,
Seriylur Jameen Village,
Keeramangalam Post,
Alangudi Taluk,
Pudukkottai District-614 624.

4.The President,
Seriylur Jameen Village Panchayat,
Keeramangalam Post,
Alangudi 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 2 to 4 to abstain from laying Road at the petitioner's property comprised in S.No.35/9 situated at Seriyalur Jameen Village, Keeramangalam Post, Alangudi Taluk,



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Pudukkottai District.

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For Petitioner
For Respondent

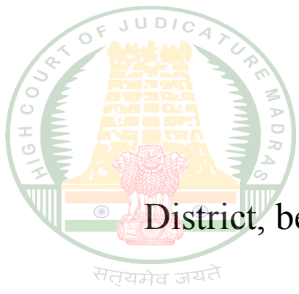
: Mr.K.C.Maniyarasu
: Mr.M.Lingadurai (for R1 to R3)
Special Government Pleader

ORDER

This writ petition is filed for Writ of Mandamus, to direct the respondents 2 to 4 to abstain from laying Road at the petitioner's property comprised in S.No. 35/9 situated at Seriyalur Jameen Village, Keeramangalam Post, Alangudi Taluk, Pudukkottai District.

2.The brief facts as stated by the petitioner, are that the land in S.No.35/9 situated at Seriyalur Jameen Village, Keeramangalam Post, Alangudi Taluk, Pudukkottai District, belongs to the petitioner and he is having a patta, issued in his name. The respondents are forcibly trying to lay a road in the patta land and especially the allegation against the fourth respondent is that he has used excessive force with the help of the Police and has tried to lay the road, for which he has enclosed photographs also.

3.The learned Special Government Pleader submitted that the respondents has filed a counter admitting the fact that the land in S.No.35/9 situated at Seriyalur Jameen Village, Keeramangalam Post, Alangudi Taluk, Pudukkottai



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District, belongs to the petitioner

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4.After hearing the rival submission, this Court is of the opinion that the respondent cannot lay a road unless a due process is followed. It is a settled proposition if a person is the owner of the land and if any road ought to be laid in his patta land, the respondents ought to acquire the land and then lay the road. In the present case, the respondents have not initiated any acquisition proceedings and they forcibly tried to lay the road, which is totally against the constitutional rights. Therefore, the respondents are restrained from laying a road in the petitioner's patta land. If the respondent is inclined to lay a road in the petitioner's patta land, they are strictly directed to acquire the land and thereafter lay the road. If any violation is committed, that will be taken seriously.

5.With the above direction, this writ petition stands allowed. No Costs.

07.07.2025

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

Vsg



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To

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S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.14194 of 2023**

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