



W.P(MD)No.15548 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15548 of 2025

S.Sreedharan

... Petitioner

Vs.

1. The District Collector,
Collector Office,
Nagercoil and Post,
Kanniyakumari District 629 001.
2. The Revenue / Divisional Officer,
Padmanabhapuram Revenue Division,
Thuckalay and Post,
Kanniyakumari District.
3. The Assistant Executive Engineer PWD/WRO,
Poigaiyar Reservoir,
Project Sub Division No.3,
(Mambazhathuraiyar Reservoir Project),
Nagercoil and Post,
Kanniyakumari 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 third respondent from demolishing the road and digging new canal in the petitioner's patta land in survey number 650/4 and 650/5, situated at Villukuri Village, Kalkulam Taluk, Kanniyakumari District, based on the petitioner's representation dated 03.06.2025.



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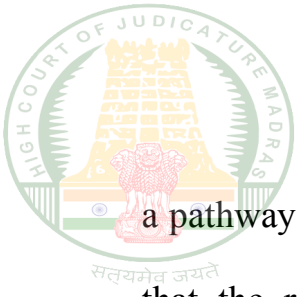
For Petitioner : Mr.T.Murugan
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the third respondent from demolishing the road and digging new canal in the petitioner's patta land in survey number 650/4 and 650/5, situated at Villukuri Village, Kalkulam Taluk, Kanniyakumari District, based on the petitioner's representation dated 03.06.2025.

2. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted as per “A” Register, Survey No.650/4 is registered as punja land, and in Survey No.650/5, one Sreedharan, has been granted an individual patta. In Survey No.650/4, there is a Kulam, namley, Ullankuzhi, for which a channel is crossing across the petitioner's land. The said channel is already in existence and the respondents have only restored it by reconstructing the canal.

3. The contention of the petitioner is that there has been an existing road over the said channel for the past 30 years, which the petitioner has been using as



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a pathway for transporting raw materials to his crusher unit. He further submitted that the road had co-existed with the channel, allowing for the transport of crushing materials.

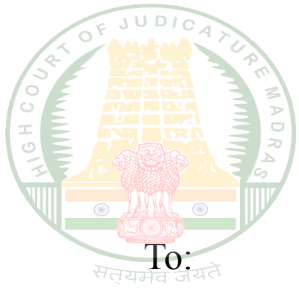
4. However, these facts ought to be adjudicated before the civil court and it cannot be entertained under Article 226 of the Constitution of India. The petitioner is at liberty to approach the competent civil court to establish his rights.

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

19.06.2025

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

jbr



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S.SRIMATHY, J.

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ORDER MADE IN
W.P(MD)No.15548 of 2025

DATED : 19.06.2025