



W.A(MD)No.1757 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.1757 of 2025
and
C.M.P(MD)No.9844 of 2025**

Arumugam

... Appellant /
Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Thirumangalam,
Madurai District,
Madurai.

3.The Block Development Officer,
Thirumangalam,
Madurai District,
Madurai.

4.The Tahsildar,
Thirumangalam Taluk,
Madurai District,
Madurai.

... Respondents /
Respondents



W.A(MD)No.1757 of 2025

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order passed in W.P(MD)No.6681 of 2025 dated 13.03.2025 on the file of this Court.

For Appellant : Mr.T.Aswin Raja Simman

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 to R.4

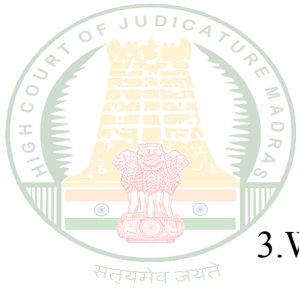
Mr.R.Balakrishnan
for proposed respondent / intervenor

JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The appellant herein filed W.P(MD)No.6881 of 2025 to forbear the authorities from laying thar road in his patta land. It appears that the petitioner was assigned the said land and it is the specific contention of the intervenor that one of the assignment condition was that the assignee should not prevent the villagers from passing through the said land to reach the burial ground / cremation ground. All along it has been a mud road.



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3.We had a look at the photographs enclosed at the typed set of papers filed by the intervenor. We are of the view that necessarily a thar road has to be laid.

4.The learned Additional Government Pleader submits that only an enquiry notice has been issued to resolve the issue once and for all. Even the enquiry notice is pursuant to the order dated 06.01.2025 made in W.P(MD)No. 31347 of 2024 filed by one Balamurugan (intervenor herein) and another. In these circumstances, the learned single Judge rightly held that the petition has been prematurely filed. There is no merit in this writ appeal.

5.This Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
02.07.2025

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

To

1.The District Collector,
Madurai District, Madurai.

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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

MGA

2.The Revenue Divisional Officer,
Thirumangalam,
Madurai District,
Madurai.

3.The Block Development Officer,
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4.The Tahsildar,
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