



W.P.(MD)No.18465 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.18465 of 2022

Priyanka .K

... Petitioner

/Vs./

1. The District Collector
Office of the District Collector,
Madurai District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai, Narasingampatti,
Y.Othakadai, Madurai – 625 107.
3. The Tahsildar
Office of the Tahsildar,
Melur Taluk,
Madurai District.
4. The Block Development Officer
Kottampatti Panchayat Union,
Madurai District.
- 5 .The President
Melavalavu Village Panchayat,
Kottampatti Panchayat Union,
Madurai District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from laying road to common graveyard through the petitioner patta land in Survey No. 307/1 which stands in the name of the petitioner son Minor K. Moorthy Son of Late P. Kumar consequently directing the respondents to lay road through the existing cart road already identified by the respondents.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.D.GandhiRaj

Special Government Pleader

ORDER

This writ petition has been filed forbearing the respondents to lay any road to reach the common road to the petitioner's land comprised in Survey No.307/1 situated at Melavalavu village, Melur Taluk, Madurai District.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The property comprised in Survey No.307/1 situated at Melavalavu village, Melur Taluk, Madurai District, originally owned by the petitioner's husband. After his demise, they derived title over the



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property and they were issued patta. According to the petitioner's land land, there is common burial ground, in order to reach the common burial ground, there is separate road. However, it was encroached by the encroachers and as such, the respondents 1 and 2 decided to lay a road, as if there is a cart track in the petitioner's patta land and in which they proposed to lay a road.

4. On instructions, the learned Special Government Pleader submitted that sofar such proposal to lay a road to reach the common burial ground, through the petitioner's patta land.

5. Recording the abovesaid submission made by the learned Special Government Pleader, this Writ Petition stands closed. It is made clear the if there is any proposal to lay a load in future to reach the common burial ground through the petitioner's land, the respondents 1 and 2 have to follow the due process of law. No costs.

Index : Yes / No
NCC : Yes / No
LS

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G.K.ILANTHIRAIYAN, J.

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Order made in
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