

W.P(MD)No.22497 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.22497 of 2025

Selvaraj Pandian

... Petitioner

Vs.

1.The District Collector,
Office of District Collector,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.The Village President,
Nagaram Village Panchayat,
Kadayanallur Taluk,
Tenkasi District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the third respondent herein their men, agents or anyone else from in any manner not to lay any dhar road in Survey No.515/10, Old Survey No.515/2A6, Nagaram Village, Kadayanallur Taluk, Tenkasi District.



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For Petitioner : Mr.C.Christopher
For R1 & R2 : Mr.C.Satheesh
Government Advocate
For R3 : Mr.D.Ghandiraj
Special Government Pleader

ORDER

This writ petition has been filed for a writ of Mandamus to forbear the third respondent from laying Thar road over land in Survey No.515/10, Old Survey No.515/2A6, Nagaram Village, Kadayanallur Taluk, Tenkasi District.

2. The case of the petitioner is that he is the owner of the patta land measuring an extent of four cents, 1st ward, Nagaram Village Panchayat, Kadayanallur Taluk, Tenkasi District in the above survey number, which was earlier purchased by the petitioner's father vide sale deed dated 28.12.1958 registered as Document No.3053 of 1958.

3. It is the further case of the petitioner that subsequently the petitioner had transferred 3 ¼ cents of the land and retained 3/4 cents of the lands in the year 2007 vide sale deed dated 17.09.2009 registered as Document No.2115 of



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2007 and later re-purchased the same as vide sale deed dated 19.04.2010 registered as Document No.1034 of 2010 from the previous owner to whom the petitioner sold the land in the year 2007.

4. The grievance of the petitioner is that the respondents are now laying a road on the petitioner's patta land which measures 4 cents, as it originally stood at the time of purchase in the year 1958 by the petitioner's father Rathinasamy Nadar

5. The learned Special Government Pleader for the third respondent submits that the description of the property in the sale deed indicates that the property of the petitioner abuts the road on the northern side and western side and that the road is being put only on the road.

6. The learned Special Government Pleader for the third respondent has also produced the photos to show that the petitioner's property abuts the roads both on the northern and western side.

7. The petitioner has not made out a case for the relief sought, particularly in the light of the description of the property in sale deed dated 19.04.2010.



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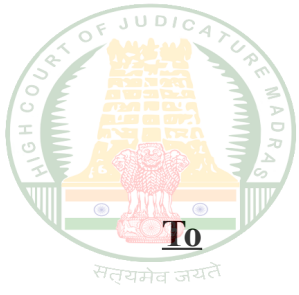
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8. Since the petitioner has submitted a representation dated 22.03.2025, therefore there shall be a direction to the third respondent to pass appropriate orders on the petitioner's representation dated 22.03.2025 and thereafter proceed with the laying of the road after due intimation to the petitioner. This exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. Pending such exercise, the execution of work abutting the petitioner's land shall be kept in abeyance.

9. The writ petition stands disposed of. No costs.

19.08.2025

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

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C.SARAVANAN, J.

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