



W.P(MD)NO.21164 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

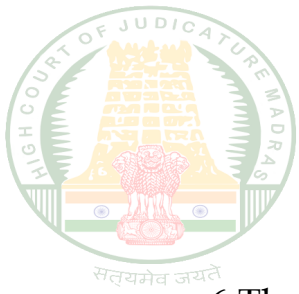
W.P(MD)No.21164 of 2022

Sethuraman

... Petitioner

.Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
- 3.The Revenue Divisional Officer,
Virudhunagar District,
Virudhunagar.
- 4.The Municipality Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.
- 5.The Assistant Director,
Land Survey and Land Records,
Srivilliputhur,
Virudhunagar District.



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6.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to declare that there is no pathway exists towards the southern side of the Petitioner's property comprised in Old T.S.No.2016/2 and re-surveyed as T.S.No. 2016/2A 4 situated at Srivilliputhur, Virudhunagar District by considering the Petitioner's representation dated 24.8.2022 within the time stipulated by this Court.

For Petitioner : Mr.S.Sathiya Chidambaram

For Respondents : MrM.Gangatharan
1 to 6 .Govt. Advocate

ORDER

The Petitioner herein seeks a direction to the respondents to declare that there is no pathway in existence towards the southern side of the Petitioner's property in Old T.S.No.2016/2 and re-surveyed as T.S.No.2016/2A 4, situated at Srivilliputhur, Virudhunagar District by considering the Petitioner's representation, dated 24.8.2022

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



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WEB COPY 3. According to the Petitioner, the subject property was purchased by him under registered sale deed, dated 26.9.1994 and he has been in possession and enjoyment of the same by putting up a house therein. Later, the Petitioner came to know that in the FMB for the subject property, there exists a pathway on the southern side. Hence the Petitioner submitted a representation before the respondents on 24.8.2022 seeking rectification in FMB by deleting the reference about the existence of pathway. The same has not been considered so far. Hence the Petitioner has come before this Court with the present Writ Petition for the relief stated supra.

4. In the Writ Petition, the Petitioner seeks declaration that there is no pathway exists in the subject survey number. In the Writ proceedings, this Court cannot enter into the disputed questions of facts and give a finding with regard to the non-existence of pathway. Therefore, this Court is not inclined to grant the relief sought for by the Petitioner.

5. However, without expressing any opinion on the merits of the matter, the third respondent is directed to consider the representation of the Petitioner, dated 24.08.2022 and pass final



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orders on its own merits, after issuing notice to the Petitioner, neighbouring land owners and other interested parties, if any, within a period of 12 weeks from the date of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. No costs.

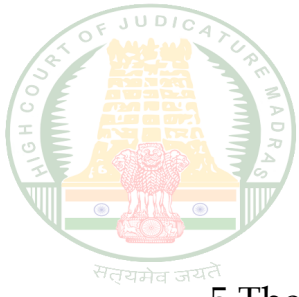
21.07.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Virudhunagar District,
Virudhunagar.
4. The Municipality Commissioner,
Srivilliputhur Municipality,
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5.The Assistant Director,
Land Survey and Land Records,
Srivilliputhur,
Virudhunagar District.

6.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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