



W.P.(MD)No.21909 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.21909 of 2025

and

W.M.P(MD)No.17001 of 2025

Mr.K.A.Sethuram

... Petitioner

-Vs-

**1.The District Collector,
Madurai District,
Madurai.**

**2.The Block Development Officer,
Madurai West Panchayat Union,
Madurai.**

**3.The Tahsildar,
Madurai North Taluk, Madurai.**

4.L.Paulraj

**5.The Management Committee
Represented through its President,
F.Pilandvan**

... Respondents



W.P.(MD)No.21909 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take immediate action to remove the obstructions in the name of fixing the stone, pit and debris in the Thar Road situated in S.No.89/1 by considering the representation given by the petitioner dated 14.07.2025 and 26.07.2025.

For Petitioner : Mr.G.Prabhu Rajadurai
For R1 & R3 : Mr.S.P.Maharajan
Special Government Pleader
For R2 : Mr.V.Om Prakash
Government Advocate
For R5 : Mr.J.Krishna Kannan

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ of Mandamus has been instituted to direct the respondents to take immediate action to remove the obstructions in the name of fixing the stone, pit and debris in the Thar Road situated in S.No.89/1.

2. Mr. Prabhu Rajadurai, learned counsel for the petitioner would contend that even on an earlier occasion, this Court issued directions for removal of obstructions in the public road. It was removed and thereafter, again reinstalled



W.P.(MD)No.21909 of 2025

by the respondents 4 & 5. Thus, the petitioner has given a complaint and no action was initiated by the authorities, which resulted in filing of the present petition.

3. The third respondent Tahsildar, Madurai North Taluk filed a status report stating that it is a public road as per the revenue records and therefore, the respondents 4 & 5 cannot cause obstruction for free movement in the subject public road. The Iron Gate and stones put up by the respondents 4 & 5 are now being removed. The fourth respondent filed a civil suit in O.S.No.161 of 2025.

4. It is needless to state that until his civil rights or title is declared by the competent court of law, the said road is to be used as public road for all the purposes and the respondents 4 and 5 cannot obstruct free flow of usage by the public at large. There should not be any installations including sign boards, stones etc., and the Tahsildar shall ensure that in the event of any such obstruction, criminal case has been registered against the respondents 4 and 5 for commission of offence. The petitioner is at liberty to lodge a complaint in the event of any further obstruction for using the subject public road.



W.P.(MD)No.21909 of 2025

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
13.08.2025

NCC : Yes / No

Index : Yes / No

am

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Block Development Officer,
Madurai West Panchayat Union,
Madurai.
- 3.The Tahsildar,
Madurai North Taluk, Madurai.



WEB COPY



W.P.(MD)No.21909 of 2025

S.M.SUBRAMANIAM, J.

AND

G.ARUL MURUGAN, J.

am

W.P.(MD)No.21909 of 2025

13.08.2025