



W.P(MD)No.21882 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21882 of 2016

and

W.M.P.(MD)Nos.15632 and 18072 of 2016

Seethalakshmi (Died)

S.Kannan

... Petitioner

*(Petitioner is substituted vide order dated
16.02.2021 in W.M.P.(MD)No.2726 of 2024 in
W.P.(MD)No.21882 of 2016 by BPJ)*

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
- 3.The Block Development Officer,
Sivakasi, Virudhunagar District.
- 4.The Tahsildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.
- 5.The Inspector Of Police,
Thiruthangal Police Station



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Sivakasi,
Virudhunagar District.

6.S.Venkatesh

... Respondents

*(R6 is impleaded vide order dated 16.02.2021 in
W.M.P.(MD)No.2726 of 2024 in
W.P.(MD)No.21882 of 2016 by BPJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents or his mens, servants, agents, nominees, assignees, administrators, successor(s) -in-office, its contractors or any other public persons claiming through them either directly or indirectly from trespassing in the writ petitioners land in S.Nos.730/2A, 731/1A, 731/1B1, 731/1B2, 735/1, 735/2, 736/1 and 736/2 Enjar Village, Sivakasi Taluk, Virudhunagar District to construct to lay any road or for any other purpose.

For Petitioner : Mr.A.Sivaji

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 to R4.
Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R5.

ORDER

Heard both sides.



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2.The petitioner wants this Court to restrain the respondents from making any claim across the lands comprised in the petition mentioned survey numbers.

3.It is seen from the original FMB that a cart tract cut across the petitioner's lands. In order to avoid such parceling, the route was deviated and was taken through the boundary lines. But the revenue records were not correspondingly mutated. This deviation had taken place even some thirty years. It appears that on account of some dispute with the local villagers, some persons made a claim that the original cart track should be restored. It is this that has given raise to the present cause of action.

4.The revenue authorities are clear that the deviated route which runs on the boundary of the petition mentioned survey numbers alone will be maintained and that revenue record will also be correspondingly mutated.



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5.Recording the stand of the respondents, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

05.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

- 1.The District Collector,
Virudhunagar District,
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- 3.The Block Development Officer,
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- 4.The Tahsildar,
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Sivakasi,
Virudhunagar District.
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G.R.SWAMINATHAN, J.

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