



W.P(MD)No.25943 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25943 of 2025

and

W.M.P(MD)No.20283 of 2025

S.Arulandu

... Petitioner

Vs.

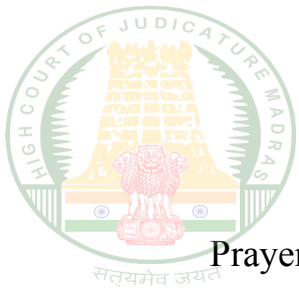
1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

3.The Block Development Officer,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

4.L.Kulandaisamy

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondent No.2 from any coercive steps in the nature of declaring the pathway laid by the petitioner in his land properties comprised in Survey Nos.79/4A, 79/4B, 79/4E, 79/4F and 79/13A measuring about 0.20.50 Hectares situated at Kalangathankottai Post, Ilaiyangudi Taluk, Sivagangai District as a common pathway and classifying the same as a pathway in the A-Register not otherwise than due process of law.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1 & R.2

Mr.A.Kannan
Additional Government Pleader
for R.3

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the official respondents. Considering the nature of relief to be granted, issuance of notice to the fourth respondent is dispensed with.



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2.It is seen that the fourth respondent had filed W.P(MD)No.23481

of 2024 seeking the following prayer:

“PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the respondents Nos,1 to 3 to consider petitioner's representation dated 22.07.2024 and consequently direct the respondent Nos.1 to 3 to sub divide the public pathway from Kangathankottai Village to Aranmanaikarai Village and to issue a separate Survey Number and to enter the same into a A register as public pathway within a time frame fixed by this Court.”

3.The petitioner herein was shown as the fourth respondent in the said writ petition. The Hon'ble Division Bench disposed of the writ petition in the following terms:

“2. It is the case of the petitioner that the road in question has not been classified and entered in the A Register. Since it has not been classified, the 4th respondent is not allowing the petitioner to use the land. Hence, the petitioner has sent a representation to the 2nd respondent on 22.07.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.



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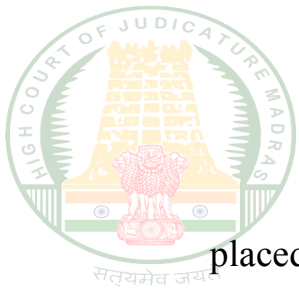
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3. ...

4. Considering the facts and circumstances of the case and without going into the merits of the matter, the 2nd respondent is directed to consider the representation of the petitioner dated 22.07.2024 and pass suitable orders thereon by giving due opportunity of personal hearing to the petitioner as well as the 4th respondent, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.”

In this background, the present writ petition has been filed to forbear the authorities from declaring the petition mentioned pathway as a public pathway.

4. When the Hon'ble Division Bench has already issued certain directions, it would not be appropriate for this Court to issue any contra direction. Suffice to reiterate that the Tahsildar, Ilayankudi Taluk should put the writ petitioner on notice while holding enquiry into the fourth respondent's application. The petitioner would be entitled to place the relevant materials to show that the petition mentioned pathway cannot be a public pathway and that it belongs to him. Based on the materials



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placed on either side and also after perusing the relevant revenue records, the second respondent will pass final order. The second respondent will also serve a copy of the order to the petitioner to be passed by him. The rights of the writ petitioner will abide by the outcome of the enquiry.

5.The learned Additional Government Pleader states that such an order will be passed within a period of weeks from the date of receipt of a copy of this order. If the order is adverse to the writ petitioner, it is open to the writ petitioner to move this Court again for appropriate relief.

6.This Writ Petition is also disposed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

19.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1.The District Collector,
Sivagangai District,
Sivagangai.

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G.R.SWAMINATHAN, J.

MGA

2.The Tahsildar,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

3.The Block Development Officer,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

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