



WEB COPY

WP No. 9692 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 9692 of 2023

and

WMP.No.9756 of 2023

N.Thirumathal
W/o. Nachimuthu,
110B, Mottayappagounder Street,
Odayakulam,
Anamalai Taluk,
Coimbatore District

..Petitioner(s)

Vs

1. The District Collector
Office of the District Collector, Coimbatore
2. The Tahsildar
Office of Tahsildar , Anamalai
3. The Executive Officer
Odayakulam Town Panchayat, Old
Maduraiveeran Kovil street,
Odayakulam ,
Anamalai Taluk,
Coimbatore District
4. The President
Odayakulam Town Panchayat,
Odayakulam,
Anamalai Taluk,
Coimbatore District

..Respondent(s)



Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 13.03.2023 and to restore the cart track in Survey No. 564/1 Odayakulam Village, Anamalai Taluk for ingress and egress to the petitioner's property situated at S.No. 563/A measuring to an extent of 5 acre 60 cents situated in Odayakulam Village.

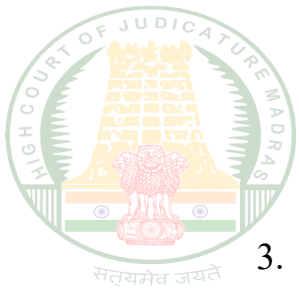
For Petitioner(s): Mr.V.Anandhamurthy

For Respondent(s): Mr. P. Siddarth, Govt. Counsel for R1 & R2
M/S. T.M. Rajangam for R3 & R4

ORDER

This Writ Petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 13.03.2023 and to restore the cart track in Survey No. 564/1 Odayakulam Village, Anamalai Taluk for ingress and egress to the petitioner's property situated at S.No. 563/A measuring to an extent of 5 acre 60 cents situated in Odayakulam Village.

2. Heard the learned counsels appearing on either side.



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3. The learned counsel for the petitioner submitted that the petitioner, who is an agriculturist, is the owner of the property comprised in Survey No.563/A measuring to an extent of 5 acre 60 cents situated in Odayakulam Village by way of a sale deed dated 25.06.2018 registered as Doc. No.3033/2018 on the file of the Sub Registrar Office, Anamalai. He further submitted that the petitioner and other adjacent land owners are using the cart track situated in Survey No.564/1 which is adjacent to their lands for their access to their respective lands for more than 30 years. He added that all of a sudden, the respondents, particularly, the second respondent closed the cart track preventing the petitioner's ingress and egress to her property and also fenced the cart track and therefore, she made a representation dated 13.03.2023 to the respondents, however there was no response. He pleaded that there may be a direction to the respondents not to fence the cart track which is meant for carrying out agricultural activities in and around Survey No.564/1 and the same is not belonged to revenue department and the rights cannot be taken away in toto depriving the agricultural land owners and hence, prayed for appropriate orders.

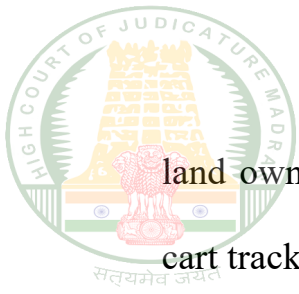
4. Per contra, the learned Government Counsel submitted that the petitioner along with other persons nearly 12, are using the cart track for carrying out their agricultural operation, however none other than the petitioner



had objected for fencing the cart track in Survey No.564/1. He further submitted that there are two pathways in Survey No.564/1 C.T. Poramboke viz., towards South-Noth & Southern side and East-West direction, where the petitioner alone is using both the pathways in the said survey number and the market value of lands in and around Anamalai Taluk are higher than other area and the petitioner has encroached the C.T. Poramboke by forming cart track to her land and hence, he opposed to grant the relief sought for by the petitioner in the present Writ Petition.

5. I have considered the rival submissions made by the respective learned counsel and also perused the materials available on record.

6. The facts of the case are not disputed by the respondents. Admittedly, the petitioner's property is adjacent to the cart track situated in Survey No.564/1 which is classified as Government Poramboke and the same is not denied by the respondents also. In view of the said fact, the respondents cannot deprive the rights of the adjacent agricultural land owners for using the cart track. Therefore, this Court directs the official respondents not to fence the cart track in subject issue, if already fenced remove the fence and allow all the agricultural land owners including the petitioner to use the cart track for their ingress and egress and it is also made clear that the petitioner alone is not exclusively have the right to use the said cart track but she along with other adjacent agricultural



land owners can utilize the same. The respondents are directed to restore the cart track if it is fenced already.

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7. With the above observation and directions, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

09-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

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M.DHANDAPANI, J.

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