



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 19180 of 2026

AND

WMP NO. 20462 OF 2026

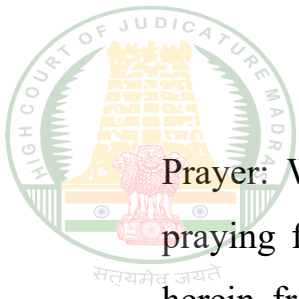
C.Natesan,
S/o. Chinnaiah,
No.385, Posampatti Village,
Valarmanickam,
Tirunayam Taluk,
Pudukottai District.
Represented by his POA,
R. Panneerselvam,
S/o. Rajagopal,
No.34, Sourth Street,
Pakkam Madura Thathankuppam Village,
Madurantakam Taluk,
Chengalpattu District.

..Petitioner(s)

Vs

1. The District Collector,
Chengalpattu District.
2. The Block Development Officer,
Madurantakam,
Chengalpattu District.
3. The Tahsildar,
Madurantakam Taluk,
Chengalpattu District.
4. The President,
Pakkam - Thadankuppam Village Panchayat,
Madurantakam Taluk,
Chengalpattu District.
5. M. Mathan Kumar

..Respondent(s)



Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus forbearing the respondents 1 to 4 herein from forming pathway in the petitioners land situated at Old Survey No.245 subdivided as Survey No.245/1,3,4, Old Survey No.246 subdivided as Survey Nos.246/2D, 3B,3D, 3E, 3F, 3G and Survey No.250 subdivided as Survey Nos.250/10C1, 10C2, 10C3, 11C, 5B3, 6B, 8D, 9A, 9B, 9C at Pakkam village, Madurantakam Taluk, Chengalpattu District comprised in patta no.294 without following due process of law and thus render justice.

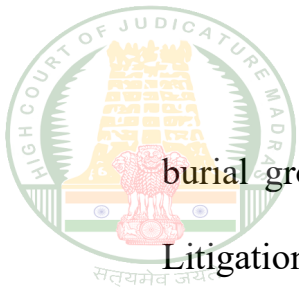
For Petitioner(s): Mr. G. MAGESH KUMAR,

For Respondent(s): Mr.M.Guruprasad, Government Counsel
for R1 to R3

Order

This Writ Petition has been filed to forbear the respondents 1 to 4 herein from forming pathway in the petitioner's patta land.

2. Learned counsel for the petitioner submitted that the property situated at Old Survey No.245 subdivided as Survey No.245/1,3,4, Old Survey No.246 subdivided as Survey Nos.246/2D, 3B,3D, 3E, 3F, 3G and Survey No.250 subdivided as Survey Nos.250/10C1, 10C2, 10C3, 11C, 5B3, 6B, 8D, 9A, 9B, 9C at Pakkam village, Madurantakam Taluk, Chengalpattu District comprised in patta no.294, absolutely belongs to the petitioner. While there is an existing burial ground in the village, the 4th respondent in collusion with the respondents 2 and 3, is illegally forming a road over the petitioner's patta lands to access the



burial ground. In the meanwhile, the 5th respondent also filed Public Interest Litigation in W.P.No.30803 of 2019, to lay an approach road to reach the burial ground and this Court by order dated 03.03.2020, has disposed of the same, by directing the respondents 1 to 3 herein to clear the pathway in accordance with the FMB sketch as well as village map.

3. The learned counsel vehemently contended that under the guise of complying the above order of this Court, the respondents 1 to 4 are forming pathway to the burial ground through private patta lands. Aggrieved by the action of the official respondents, the petitioner has approached this Court.

4. In reply, learned Government counsel for the respondents submitted that the pathway is explicitly marked in the FMB sketch. He contended that the pathway is being laid strictly in accordance with the markings in the FMB sketch and in compliance with the directions issued by this Court.

5. Heard both sides and also perused the materials available on record.

6. On a perusal of the record, it is observed that a Hon'ble Division Bench of this Court, has previously dealt with the subject matter and passed the following order:



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2. In the status report filed by the third respondent/Tahsildar, it has been stated as follows:

‘Accordingly, the land owners indicated in S.Nos.1,2,3,4,5,6,8,9,10,13 and 14 gave their statement duly intimating their consent to form pathway to the burial ground through their patta lands. The land owners indicated in Sl.No.7,11,12,15 and 16 did not give their statement. However, efforts are being taken to persuade them also to give their consent to utilize their respective patta lands for the formation of pathway to burial ground. In the meanwhile, a detailed report on the outcome of the meeting between the villagers and the landowners has been sent to the 1st respondent, in order to issue direction to the 3rd respondent for taking follow up action for the formation of pathway to burial ground in the aforesaid village, as per Lr.No.940/2019/B2, dated 11.01.2020. As a matter of fact in FMB there is a pathway mark indicated for a time immemorial (copy enclosed).’

3. The aforesaid statement is preceded by the opportunities given. It appears that even in the FMB Sketch the pathway has been indicated. If that is the case, nobody can claim a right over it. It is obviously a public pathway.

4. The learned Additional Government Pleader appearing for the first respondent submitted that there are standing crops and, therefore, some time may be granted to remove and clear them to bring the pathway to its original position.

5. We may note that this situation has occasioned due to the failure of the respondents in taking appropriate action. However, considering the submissions made, we are inclined to grant eight weeks time from the date of receipt of a copy of this order to clear the pathway in accordance with the FMB Sketch as well as village map



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and see to it that no more encroachment is made. This time is granted not only for carrying out reconstruction of the pathway which has been obliterated, but also to remove the encroachments, so as to facilitate the persons who have raised grievance. We make it clear that the respondents should undertake the exercise of laying down proper road as directed herein above.

7. The Hon'ble Division Bench passed the detailed order extracted above, after a careful and thorough scrutiny of the entire documentary evidence. Therefore, this Court finds no reason or ground to interfere with the same.

8. Accordingly, this Writ Petition is dismissed. No costs. Consequently connected miscellaneous petition is closed.

08-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SK

To

1. The District Collector,
Chengalpattu District.
2. The Block Development Officer,
Madurantakam,
Chengalpattu District.
3. The Tahsildar,
Madurantakam Taluk,
Chengalpattu District.



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KRISHNAN RAMASAMY J.

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4. The President,
Pakkam - Thadankuppam Village Panchayat,
Madurantakam Taluk,
Chengalpattu District.

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