



WEB COPY

WP No. 30085 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 30085 of 2022

and

WMP No. 29505 of 2022

1. O.C.Chenniyappan
S/o. Chinnapa Gounder, Olappalayam,
Palakkarai Village, Perundurai Taluk,
Erode District
2. O.C.Sivasubramaniam
S/o. O.C. Chenniyappan, Olappalayam,
Palakkarai Village, Perundurai Taluk,
Erode District

..Petitioner(s)

Vs

1. The District Collector
Erode District, Erode
2. The Revenue Divisional Officer
Erode , Erode District
3. The Revenue Tahsildar
Perundurai Taluk, Erode District 638 104
4. O.M. Periyasamy
S/o. Marappa gounder, Door no. 13/100,
Olappalayam, Thudupathi post, Perundurai
Taluk, Erode District

..Respondent(s)

calling for the records of the 2nd respondent culminating in his impugned proceedings bearing Pa.Mu. 1400/ 2021/ A2 dated 28.10.2022 (Served on the petitioners on 2.11.2022) quash the same and forbear the respondents 1 to 3 their men, agents ,officers, subordinates, representatives



and / or anyone claiming through or under them from in any manner interfering with the petitioners peaceful possession and enjoyment of their land in R.S. No. 265/9 along with the buildings , shed, well, tank and fully grown coconut trees therein, situated at Palakkarai Village, Perundurai Taluk, Erode District and from taking any coercive action in respect of the said land until the final disposal of the two civil suits viz. O.S.No. 127 of 2020 and O.S. No. 33 of 2021 pending on the file of the Leaned District Munsif, Perundurai

WP No. 30085 of 2022

For Petitioner(s): Mr.M.Guruprasad

For Respondent(s): Mr.T.Arun Kumar
Addl.G.P. for R1 to R3 ,
Mrs.V.S.Usha Rani for R4

Order

(Order of the Court was made by S.M.Subramaniam J.)

The impugned order passed by the Revenue Divisional Officer dated 28.10.2022 would show that enquiry has been conducted by affording opportunity to the parties.

2. The facts placed between the parties have been elaborately considered by the Revenue Divisional Officer and it is found that the subject property is classified as “நிலவியல் பாதை” (Nilaviya Paathai), i.e., ‘cart track’. Once it is classified as a ‘cart track’ in the revenue record, even if a portion of the cart track situated in patta land, it must be kept for public use. That being the scope of Revenue Standing Order, the contention raised by the petitioner that it is a patta land and therefore, cannot be utilised as public cart track, cannot be accepted.



3. The learned counsel for the petitioners would submit that a suit in O.S.No.127/2020 has been instituted. It is for the petitioners to pursue the suit and redress his grievance, if any exists. So far as the revenue authorities are concerned, the revenue record would indicate that it is a 'cart track'. Therefore, the said portion of the land is to be left open for public usage in accordance with the Revenue Standing Order. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
13-03-2026

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

vsi

To

1. The District Collector
Erode District, Erode
2. The Revenue Divisional Officer
Erode , Erode District
3. The Revenue Tahsildar
Perundurai Taluk, Erode District 638 104



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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

VSI

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