



W.P.No.17326 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved On: 01.06.2026

Delivered On:05.06.2026

CORAM

**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE Mrs. JUSTICE N. MALA**

Writ Petition No.17326 of 2026

O.Mari,
S/o.Omappillai,
Brahmins Street,
Alathurai Village,
Aalathur Post, Cheyyar Taluk,
Tiruvannamalai District – 604 408.
Ph. 9500 426832

... Petitioner

vs.

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Revenue Department, Secretariat,
Fort St. George,
Chennai – 600 009.

2. The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

3. The Divisional Revenue Officer (DRO),
Tiruvannamalai,
Tiruvannamalai District.

4. The Revenue Divisional Officer (RDO),
Cheyyar, Tiruvannamalai District.



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5. The Tahsildar,
Cheyyar,
Tiruvannamalai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus directing the Respondents 1 to 5 herein to remove the encroachment of the 'mud road path way land' having a width of about 10 ft. and having a length of about one k.m., running from South to North from Alathurai Village lake and reaches Aalathur village, comprised in various survey numbers in 38, 39, 37, 24, 26, 31, 29 and 28 situated in Alathurai Village, Cheyyar Taluk, Tiruvannamalai District.

For Petitioner : Mr.S.A.Secular
For Respondents : Mr.Dominic S.David,
Government Advocate.

ORDER

(Order of the Court was made by Dr.G.Jayachandran,J.)

The Writ Petition is filed seeking a Writ of Mandamus to remove the encroachment of a mud road pathway land, alleging that the said mud road pathway, having a width of 10 feet and a length of about one kilometre, running from South to North, from Alathurai Village lake to reach Alathur Village, crossing various survey numbers of Alathurai Village, has been encroached upon by the local persons, thereby preventing access to the agricultural lands situated on either side.



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2. The case of the petitioner is that the information received from the Authorities under the Right to Information Act, 2005, indicates that there is a footpath running from North to South from Alathurai Lake to Alathur Village. The said footpath, which was earlier 10 feet wide, has been ameliorated by the encroachers. Hence, the present writ petition has been filed seeking removal of the alleged encroachment.

3. According to the writ petitioner, in response to the representation given to the Tahsildar, Cheyyar, the petitioner was informed that the revenue records and the computer chitta do not indicate the existence of any pathway in the said survey numbers and the survey numbers mentioned in the representation are patta lands of the individuals. This reply, *per se*, indicates that the existing pathway has been converted into patta land of the individuals, thereby depriving the right of the accessing villagers. Hence, the petitioner has sought a Writ of Mandamus directing the removal of the encroachment.

4. On perusing of the representation and the Field Measurement Book(FMB), we find that Survey Nos.37/2, 37/1 and 37/10 are patta lands of individuals. There is no indication to infer the existence of any mud pathway,



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much less the mud pathway having width of 10 feet. The allegation of the existence of the mud pathway having width of 10 feet and length of one kilometre has no basis. While so, the Mandamus, on the assumption that the mud pathway has been encroached upon by the individuals, cannot be issued. The petitioner relies upon FMB Sketch No.220 of Alathur Village to assert his claim that there was 10 feet wide pathway running along S.Nos.38,39,37,24,26,31,29 and 28. However, on perusing the sketch submitted in the typed set of papers, the pathway indicated is not a mud road of 10 feet width. It is a passage in the patta lands of individuals for access to the neighbouring lands.

5. Therefore, for a non-existent mud road of 10 feet width, a Mandamus has been sought alleging encroachment. Since there is no material to show, the existence of a public pathway in the said survey numbers, as described in the writ petition, we find, no merit in the prayer sought by the petitioner. Hence, this Writ Petition stands dismissed. No order as to costs.

(Dr. G.JAYACHANDRAN, J.) (N. MALA, J.)
05-06-2026



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:Yes/No.

Neutral Citation
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:Yes/No.

To,

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2. The District Collector,
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Dr. G.JAYACHANDRAN, J.
&
N.MALA , J.
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Delivery Order made in
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