



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.P.No.31771 of 2023

L.Suresh Babu

... Petitioner

-VS-

1. The District Collector,
Salem District.
2. The Tahsildhar,
Attur, Salem District.
3. Mr.R.Anbarasu
4. Mr.R.Senthil Kumar

..Respondent(s)

Prayer: To direct the 2nd Respondent to consider the Representation made by the Petitioner dated 01.09.2023 and to remove the encroachment made by the 3rd and 4th respondents in the Cart Track in Survey Nos. 201/5, 202/1A and 202/1B situated in Manchini Village, Attur Taluk, Salem District

For Petitioner: Mr.N.Premkumar

For Respondent(s): Mr.T.ARUNKUMAR, AGP FOR R1 & 2
M/S.R.NALLIYAPPAN FOR R3 & 4

ORDER

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

Writ of Mandamus has been instituted to consider the representation made by the petitioner dated 01.09.2023.



2. The Tahsildar, Attur, Salem District, in his written instructions dated 30.06.2025, which was addressed to the State Government Pleader, has stated as follows:

“In respect of the land S.No.201/5 there is no Pathway when there is entry in the ‘A’ Register with remarks that there is Pathway ground.

The land in S.No.202/1A measuring 0.04.5 Hec. is entirely Black topped road leading to Pungavadi from Manjini Village.

As far as the land in S.No.202/1B is concerned though there is an entry as cart track on ground in the ‘A’ Register there is no detail mark in the FMB Book depicting the cart-track (Nilaviyal Pathai). But there is a cart-track (Nilaviyal Pathai) in a portion of land with a width of about 8 to 10 feet length running east to west.”

3. As per Field Inspection conducted by Revenue Authorities, Black topped road leading to Pungavadi from Manjini Village is in public use. That apart, a Civil Suit has been instituted in O.S.No.204 of 2023 by persons, claiming as Joint Pattadars. Therefore, disputed facts relating to civil rights are to be adjudicated only before Civil Court in the civil suit already instituted.



4. Thus, the present writ petition is dismissed, granting liberty to the parties to raise all their grounds before the competent Civil Court of Law. Parties to the suit shall implead Revenue Authorities for effective adjudication of the civil suit. No costs.

(S.M.S.,J.) (K.S.,J.)
25-03-2026

Index: Yes
Speaking Order
Neutral Citation: Yes/No
AR

To:

1. The District Collector,
Salem District.
2. The Tahsildhar,
Attur, Salem District



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WP No. 31771 of 2



S.M.SUBRAMANIAM,J.
AND
K.SURENDER,J.
AR

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