



W.P.(MD) No.1253 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.1253 of 2024

Krishnaveni

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Taluk Office,
Aundipatti Taluk,
Theni District.

3.The Block Development Officer,
Mayiladumparai Union,
Theni District.

4.The Divisional Engineer,
State Highways Department,
Theni District.

5.The President,
Kadamalaikundu Village,
Mayiladumparai Union,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to remove the road connecting Mayiladumaparai and Sirapparai Village insofar as



W.P.(MD) No.1253 of 2024

the portion passes through the petitioner's land having extent of 65 cents comprised in Survey Nos.786/5 and 786/7 out of 102 cents at Kadamalaikundu Village, Aundipatti Taluk, Theni District or alternatively directing the respondents to pay compensation for laying the road connecting between Mayiladumaparai to Sirapparai village passes through the petitioners land having extent of 65 cents comprised in Survey Nos. 786/5 and 786/7 out of 102 cents at Kadamalaikundu Village, Aundipatti Taluk, Theni District, without following the acquisition process on the basis of the petitioner's representation dated 01.07.2022.

For Petitioner : Mr.R.Shankar Ganesh

For R1, R2 & R4 : Mr.N.Ramesh Arumugam
Government Advocate

For R3 & R5 : Mr.OM.Prakash

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to remove the road connecting Mayiladumaparai and Sirapparai Village insofar as it passes through the petitioner's land measuring an extent of 65 cents comprised in Survey Nos.786/5 and 786/7 out of a total extent of 102 cents situated at Kadamalaikundu Village, Aundipatti Taluk, Theni District or alternatively, directing the respondents to pay compensation for laying the



W.P.(MD) No.1253 of 2024

said road through the petitioner's land, without following due process of acquisition, based on the petitioner's representation dated 01.07.2022.

2. According to the petitioner, the respondents have laid the road on the petitioner's patta land without initiating acquisition proceedings and without paying compensation. Though a representation dated 01.07.2022 was submitted in this regard, no action has been taken thereon.

3. If any road is to be laid on a patta land, the concerned authorities shall first initiate acquisition proceedings in accordance with law and only thereafter lay the road. Without initiating acquisition proceedings, laying a road on patta land is impermissible.

4. In the present case, according to the petitioner, the road has already been laid on his patta land and he has submitted a representation in this regard. Considering the same, the third respondent is directed to consider the petitioner's representation dated 01.07.2022 and pass appropriate orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. Such exercise shall be undertaken after conducting an enquiry.



W.P.(MD) No.1253 of 2024

5. It is needless to state that before passing any order, the petitioner and any other interested persons shall be given an opportunity of hearing.

If the petitioner is found entitled to compensation, the same shall be paid to him in accordance with law.

6. With the above observations, this Writ Petition is disposed of. No costs.

[K.SURENDER, J.]
25.02.2026

JEN

Index : Yes / No

Neutral Citation : Yes / No

To

- 1.The District Collector,
Theni District, Theni.
- 2.The Tahsildar,
Taluk Office,
Aundipatti Taluk,
Theni District.
- 3.The Block Development Officer,
Mayiladumparai Union,
Theni District.
- 4.The Divisional Engineer,
State Highways Department,
Theni District.



W.P.(MD) No.1253 of 2024

WEB COPY

5. The President,
Kadamalaikundu Village,
Mayiladumparai Union,
Theni District.



WEB COPY



W.P.(MD) No.1253 of 2024

K.SURENDER, J.

JEN

W.P.(MD) No.1253 of 2024

25.02.2026