



W.P.(MD).No.5625 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-03-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.5625 of 2026

and

W.M.P(MD).No.4686 of 2026

Mr.A.Manimuthu

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate Building,
Sivagangai District,
Sivagangai

2. The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Sivagangai District.

3. The Tahsildar,
O/o The Tahsildar
Thiruppuvanam taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the Respondents No.1 to 3 to ensure the cart track pathway from Thiruppachethi to Kattanoor Village in Survey Nos.111/6C, 111/8 and 111/7B1, Thiruppachethi South Group, Thiruppuvanam Taluk, Sivagangai District by considering the Petitioners Representation dated 10.02.2026 within time frame as fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstance of the case and thus render justice.



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For Petitioner : Mr.D.S.Haroon Rasheed
For R1 to R3 : Mr.P.Thambidurai
Government Advocate
For R4 & R5 : Mr.M.Divakaran

ORDER

The writ petition is filed for a mandamus directing the respondents 1 to 3 to ensure the cart track pathway from Thiruppachethi to Kattanoor Village in Survey Nos.111/6C, 111/8 and 111/7B1, Thiruppachethi South Group, Thiruppuvanam Taluk, Sivagangai District by considering the Petitioners Representation dated 10.02.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that there exists a 'Nilaviyal Vandipathai' in the said land and they are dependent upon the same for transporting the agricultural products in the respective lands. Therefore, the said cart track is now sought to be effaced and interfered by the private respondents. Aggrieved by the same, the petitioner has filed a representation to the respondents 1 to 3 to preserve the cart track.



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3. The learned Government Advocate appearing for the respondents 1 to 3 would submit that the petitioner has claimed only the 'Nilaviyal Vandipathai' in the said land and the patta in the said land now stands in the name of the private respondents herein.

4. The learned Council appearing for the respondents 4 and 5 would submit that the said land absolutely belongs to the respondents 4 and 5 inasmuch as the revenue records and title documents are also in the name of the petitioner.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. The grievance of the petitioner is that the right to use the 'Nilaviyal Vandipathai', which according to them exists and they have a right of easement, in which case, it is for them to approach the competent Civil Court as against the person who is trying to interfere with their easementary right. He can establish the easementary right before the civil court and get such orders in accordance with law. Therefore, the writ petition as such cannot be entertained in that regard.



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7. Accordingly the writ petition stands disposed of with liberty to the petitioner to approach the competent Court. No costs. Consequently connected miscellaneous petition is closed.

02.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
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