



W.P(MD)No.8481 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 30.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.8481 of 2026

Kamalam

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.
3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.
4. The Executive Officer,
Valvachakostam Town Panchayat,
Kalkulam Taluk,
Kanyakumari District.

...Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus to directing the 4th respondent to lay cement road by considering the representation dated 17.03.2026 and deem fit to the facts and circumstances in the case thus render justice.



W.P(MD)No.8481 of 2026

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For Petitioner	:Mr.S.Jebastin
For R1 to R3	:Mr.D.Sadiq Raja Additional Government Pleader
For R4	:Mr.V.Om Prakash Government Advocate

ORDER

The writ petition is filed for a mandamus directing the 4th respondent to lay cement road by considering the petitioner's representation dated 17.03.2026.

2. Heard Mr.S.Jebastin, learned counsel appearing for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader, who takes notice for R1 to R3 and Mr.V.Om Prakash, learned Government Advocate, who takes notice for R4.

3. Upon hearing the learned counsel for the petitioner and upon perusing the material records of the case, it can be seen that the case of the petitioner is that there is a temple situated on the petitioner's private



W.P(MD)No.8481 of 2026

patta land. The public are also visiting the said temple and the petitioner seeks the laying of a concrete road to facilitate such visits.

4. When the matter came up for hearing today, the learned Additional Government Pleader appearing for respondents 1 to 3 submitted that the land in question on which the petitioner seeks to lay a cement road is a private patta land and therefore, the same cannot be undertaken by the Government.

5. In reply, the learned counsel for the petitioner pointed to the document produced along with the writ petition. On perusal, the said document is an agreement between private parties agreeing to leave a portion of the land as a common pathway among themselves. While parties may agree to treat a portion of the property as a common pathway for the Government to lay a cement road, the land must be recognized as a public road and duly vested in or transferred in favor of the local authority. In the absence of such a document and in light of the respondents expressing their inability, this Court is not inclined to grant the relief sought in the writ petition.



W.P(MD)No.8481 of 2026

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6. Accordingly, the writ petition stands dismissed. No costs.

However, it is open to the petitioner or any person to first donate the land to the local authority and thereafter, renew the request, if necessary.

30.03.2026

NCC:Yes/No
rgm



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W.P(MD)No.8481 of 2026

D.BHARATHA CHAKRAVARTHY, J.

rgm

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W.P(MD)No.8481 of 2026

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