



W.P.(MD)No.13031 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **06.04.2026**

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.13031 of 2023

K.Anbarasu

... Petitioner

Vs.

1. The District Collector,
Thanjavur District, Thanjavur.

2. The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

3. The Block Development Officer
(Village Panchayat),
Thiruvonam, Orathanadu Taluk,
Thanjavur District.

4. Sundarajan

5. Subramanian

6. Anbumani

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent



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i.e., the District Collector, Thanjavur for taking necessary action for converting the road in S.Nos.35B/3A and 35B/2A1 of Unjiyaviduthi Village west street, Orathandu taluk, Thanjavur district, as Cement Road as per Anna Marumalarchi scheme, within a specified time frame, that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.D.Sasikumar,
Addl. Govt. Pleader for R1 & R2
Mr.V.Nirmal Kumar for R3
Mr.T.S.R.Venkatramana, Senior Counsel
for Mr.Thomas Rajadurai for R4
No Appearance for R5

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This Writ Petition has been filed as Public Interest Litigation seeking a direction to the 1st respondent i.e., the District Collector, Thanjavur for taking necessary action for converting the road in S.Nos. 35B/3A and 35B/2A1 of Unjiyaviduthi Village west street, Orathandu taluk, Thanjavur District, as Cement Road as per Anna Marumalarchi scheme, within a specified time frame, that may be fixed by this Court.



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2. It is the case of the petitioner that the lands in S.Nos.35B/3A and 35B/2A1 measuring an extent of 0.1.50 ares of Unjiyaviduthi Village west street, Orathandu taluk, Thanjavur District, are classified as patta land. The said land has been used as pathway for a period of nearly four decades. While the third respondent started to convert the said pathway as cement road, as per the scheme ordered by the first respondent in proceedings dated 07.10.2022, respondents 4 to 6 objected to the conversion of the road into a cement road. Hence, the petitioner has filed this Writ Petition.

3. This Court heard the submissions made by the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsels appearing for the private respondents.

4. It is not in dispute that the subject properties are patta lands. Though it is stated that the subject properties have been used as pathway, the proceedings of the Revenue Divisional Officer dated 12.03.2026 indicate that the Government, by proceedings dated 07.10.2022, had decided to convert the said pathway into a road. However, the same has been objected by the private respondents, and



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therefore, the conversion could not be carried out. It appears that a dispute exists between the private parties. While some private properties may have been used by the villagers, that cannot serve as a ground to deprive the private owners of their rights. If the Government intends to lay a road, it must acquire the property in accordance with the law, providing compensation to the private owners. Therefore, we do not find any merit in this Writ Petition and the same is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
06.04.2026

Index :Yes/No
NCC :Yes/No

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