



W.P(MD)No.15413 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.06.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.15413 of 2022

Anthonyraj

... Petitioner

Vs.

1.The District Collector,
Tenkasi,
Tenkasi District.

2.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

3.The Tahsildar,
Thiruvengadam Taluk,
Tenkasi District.

4.Arjunan
***(R.4 is amended vide order
of this Court dated 08.06.2026)***

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the 4th respondent in graveyard pathway situated in Survey No. 96, 97, 103, 104 in Saminathapuram, Vagaikulam Village, Thiruvengadam Taluk, Tenkasi District.



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For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.M.P.Senthil
Government Advocate
for R.1 to R.3

Mr.Anand Chandrasekar
for R.4

ORDER

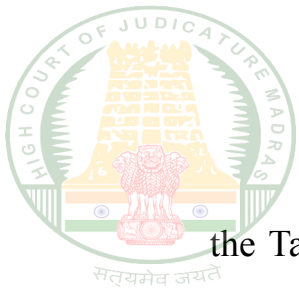
(Order of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The petitioner complains that a pathway leading to a village graveyard has been blocked and obstructed. The petitioner fairly concedes that the footpath runs through patta lands.

3.The learned counsel appearing for the private respondent claims title only in respect of Survey No.104/3. FMB sketch filed in the typed set of papers indicates that a cart track runs through Survey Nos.103, 97, 96, 95, etc. No such cart track runs through the Survey No.104/3 or Survey No.104.

4.The dispute on hand pertain only to Survey No.104/3. We, therefore, decline to grant any relief in respect of Survey No.104/3. Even



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the Tahsildar's report only reads that the writ petitioner is using Survey No.104/3 as a pathway, it does not state that the said pathway leads to the graveyard. The Tahsildar also does not state that any pathway markings are found in the FMB with respect to Survey No.104/3.

5.We direct that the pathway leading to the graveyard through Survey Nos.103, 97, 96, 95 etc., should be maintained without any obstruction. As regards the claim relating to Survey No.104, it is for the petitioner to establish the same before the jurisdictional civil Court.

6.This Writ Petition is disposed of accordingly. No costs.

[G.R.S., J.] [R.P, J.]
08.06.2026
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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
Tenkasi,
Tenkasi District.



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G.R.SWAMINATHAN, J.

AND

R.POORNIMA, J.

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2.The Revenue Divisional Officer,
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