



W.P(MD)No.17502 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17502 of 2019

and

W.M.P(MD)No.13984 of 2019

- 1.Boomadevi
- 2.Petchiammal
- 3.Ponraj
- 4.Jeya Sudha
- 5.Muniyandi
- 6.Rajadurai

... Petitioners

Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Special Officer /
The Block Development Officer,
Kayamozhi Village Panchayat,
Tiruchendur Taluk,
Thoothukudi 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



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to remove the sand road laid by the second respondent through the petitioner's property in Sy.No.396/1B and 402/3, Kayamozhi Village, Thiruchendur Taluk, Tuticorin District.

For Petitioners : Mr.R.Balakrishnan

For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

The present writ petition has been filed seeking a mandamus directing the respondents to remove the road laid by the second respondent through the private patta lands in Survey Nos.396/1B and 402/3 situated at Kayamozhi Village, Thiruchendur Taluk, Tuticorin District.

2.According to the learned counsel appearing for the petitioners, the aforesaid two survey numbers are his private properties and the respondents laid the road in the year 2017.



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3.However, the learned counsel appearing for the respondents submitted that the road has been in existence from the year 1980 onwards. The report submitted by the authorities before this Court in W.P(MD)No.29610 of 2019 reveals that there is no road in Survey No. 396/1B. However, the road has been laid in Survey No.402/3, which is a panchayat road which is in existence for many years.

4.Considering the fact that the report of the Tahsidar, Thiruchendur, reveals that the road has been in existence for so many years, it is for the petitioners to approach the competent civil Court to establish his rights.

5.With the aforesaid observation, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR, J.

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