



WP(MD)No.36597 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 02/01/2026

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THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

WP(MD)No.36597 of 2025
and
WMP(MD)No.29100 of 2025

Balakrishnan

... Petitioner

Vs.

1. The District Collector,
Karur District,
Collectorate,
Karur.

2. The Sub Collector Cum Revenue Divisional Officer,
Kulithalai,
Karur District.

3. The Tahsildar,
Kulithalai Taluk,
Taluk Office,
Kulithalai,
Karur District.

4. The Village Administrative Officer,
Puthur Village,
Kulithalai Taluk,
Karur District.

... Respondents



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WEB COPY PRAYER:- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus forbearing the respondents from interfering with the petitioner's possession and enjoyment of the agriculture lands situated in Puthur Village, Kulithalai Taluk, Karur District in survey numbers 286, 287, 288/2, 288/4 and 288/6 without following due process of law.

For Petitioner : Mr.R.M.Sivakumar
For Respondents: Mr.A.Oliraja
Government Advocate

ORDER

The prayer in this writ petition is to issue a Writ of Mandamus, forbearing the respondents from interfering with the petitioner's possession and enjoyment of his agriculture lands situated in Puthur Village, Kulithalai Taluk, Karur District in Survey Nos.286, 287, 288/2, 288/4 and 288/6 without following due process of law.

2. Learned counsel for the petitioner would submit that in



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the abovesaid survey numbers, there was no cart track at all and patta was issued in respect of the property in the said survey numbers and the petitioner is enjoying the property as agricultural land. However, without any notice, the official respondents orally asked the petitioner to vacate a portion of his property since they intend to lay cart track in his property. Hence, the petitioner has filed this writ petition.

3. Learned Government Advocate appearing for the respondents on instructions would submit that in the UDR FMB sketch of the village, Survey Nos.286, 287 and 288 are shown as cart track which is being used by the villagers and 50% of the cart track work has already been completed. He would further submit that patta was wrongly issued to the petitioner by the authorities, whereas, the subject survey numbers have been used as cart track by the villagers, where 80 residences are situated and the residents therein are also using that cart track.



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4. Considering the submissions made on behalf of the petitioner as well as the respondents, it is seen that cart track has been used from time immemorial in which case the right to use the said cart track shall not be disturbed citing the reason that patta was obtained by the petitioner. Whether the petitioner has got right over the subject property or not, is a disputed question of fact in view of UDR FMB sketch and that cannot be decided in this writ petition. The proper course for the petitioner is to approach the competent civil court and get declaration of title. Thus, I do not find any merit in this writ petition.

5. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to approach the civil court within a period of four weeks from the date of receipt of a copy of this order. Till such time, the petitioner's possession over the subject property shall not be disturbed by the respondents. No costs. Consequently, connected miscellaneous petition is closed.



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Index : Yes / No
Neutral Citation : Yes / No
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KRISHNAN RAMASAMY, J.

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3. The Tahsildar,
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4. The Village Administrative Officer,
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ORDER MADE IN
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DATED : 02.01.2026