



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.02.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

W.P(MD)No.17082 of 2025

Sowdappa

... Petitioner

.Vs.

- 1.The State of Tamil Nadu, represented by
The District Collector,
Office of the District Collector,
Dindigul District.
- 2.The Divisional Revenue Officer,
Office of the Divisional Revenue Officer,
Dndigul, Dindigul District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani,Dindigul District.
- 4.The Tahsildar,
Office of the Tahsildar,
Oddanchatram,
Dindigul District.
- 5.The Block Development Officer,



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Office of the Block Development Office,
Oddanchatram,
Dindigul District.

6.Veeramani

7.Thangavel

8.Palanisamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ o Mandamus directing the respondents 4 and 5 to remove the encroachment made by the respondents 6 to 8 in the pathway(Cart Track) in S.Nos. 420,417,111, and 412 of Ambilikai Village, Oddanchatrm Taluk, Dindigul District based on the Petitioner's representation nil dated and the letter dated 21.06.2024 forwarded by the first respondent to the fourth respondent and to lay the road to safeguard the life of the pathway users within the time stipulated by this Court.

For Petitioner : Mr.V.Muthumani

For Respondents : Mr.J.Ashok
1 to 4 Addl.Govt. Pleader

For Respondent-5 :Mr.S.P.Maharajan

For Respondent-6 : No appearance

For Respondent-7 : Mr.T.Antony Arul Raj



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ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN**)

The Writ Petition is filed alleging that the Cart Track in S.Nos.420,417,111, and 412 of Ambilikai Village, Oddanchatram Taluk, Dindigul District has been encroached by the private respondents/respondents 6 to 8 and the same has to be removed and Thar road has to be laid for the safeguard of the general public using the pathway.

2.The Tahsildar, Oddanchatram has filed a compliance report indicating that there is no cart track running through S.Nos. 420, 417, 411 and 412 of Ambilikai Village, Oddanchatram Taluk, Dindigul District. These lands belong to private persons holding patta. Insofar as S.Nos.420 and 417, there is no encroachment and whatever the encroachment made, has been removed and it is ploughed and lying vacant. The course of cart track in S.No.420/1 been changed towards southern boundary of the land and the same is used by the public for cart track without any disturbance.

3.The learned counsel for the private respondents/respondents 6 to 8 submitted that there is no encroachment in any of the survey numbers mentioned in the Writ Petition. They are

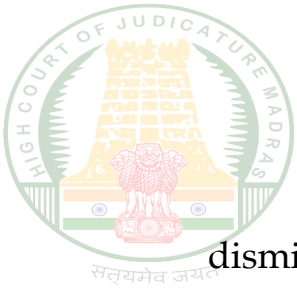


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patta lands of the private respondents. Son of the Petitioner wants to grab the property and had filed a suit and the same is pending. Suppressing the same, the present Writ Petition is filed as if the owner of the lands itself has encroached the land and want to lay road in patta lands of the private respondents. The learned counsel has also circulated a judgment of the Division Bench of this Court in *W.P(MD)No.28957 of 2022, dated 24.10.2024 in the case of R.Vijayanarayanamoorthy .vsd. The District Colletor, Collectorate Campus, Madurai, Madurai District and four others*, wherein, it has been held that the pathway running in a patta land cannot be converted into public road without following due process of law, acquiring the land.

4. This Court, on hearing the rival submissions and the report filed by the Tahsildar, hold that the cart track running through the patta land of the private respondents/respondents 6 to 8 cannot be converted into public road at the instance of the Writ Petitioner. The Writ Petition has been filed with suppression of facts, with an ulterior motive.

5. Since the report of the Tahsildar is unambiguously clear that there is no encroachment by any of the private respondents/respondents 6 to 8 and the cart track is intact, we



dismiss this Writ Petition, as devoid of merits. No costs.

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[G.J.,J.] [K.K.R.K.,J.]

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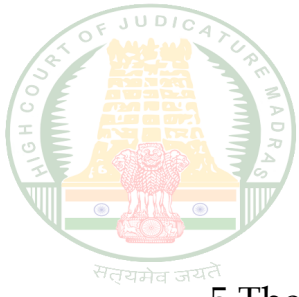
NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

- 1.The District Collector,
Office of the District Collector,
Dindigul District.
- 2.The Divisional Revenue Officer,
Office of the Divisional Revenue Officer,
Dndigul, Dindigul District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani,Dindigul District.
- 4.The Tahsildar,
Office of the Tahsildar,
Oddanchatram,
Dindigul District.

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5. The Block Development Officer,
Office of the Block Development Office,
Oddanchatram,
Dindigul District.

DR.G.JAYACHANDRAN, J.
and
K.K.RAMAKRISHNAN, J.

vsn

ORDER MADE IN
W.P(MD)No.17082 of 2025



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