



W.P(MD)No.21118 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.21118 of 2023

and

W.M.P.(MD).Nos.17523 and 17524 of 2024

Hayagrivan

... Petitioner(s)

vs.

1.The District Collector,
Office of the District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Thirumangalam Revenue Divisional Office,
Thirumangalam,
Madurai District.

3.The Sub Registrar,
Thirupparankundram Sub Registration Office,
Madurai District.

4.V.Thiruvettai

... Respondent(s)

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order issued by the first respondent in his proceedings in



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WEB C Mu.Mu.No.31707/22/C6, dated 20.07.2023 and quash the same as illegal and unconstitutional.

For Petitioner : Mr.S.Ayyanar Prem Kumar
For R-1 to R-3 : Mrs.K.R.Shivashankari,
Additional Government Pleader
For R-4 : Mr.A.R.Palaniappan

ORDER

This Writ Petition has been filed challenging the impugned order issued by the first respondent in his proceedings in Mu.Mu.No.31707/22/C6, dated 20.07.2023.

2.Heard the learned counsel on either side.

3.The learned counsel appearing for the petitioner would submit that the petitioner is the son of the fourth respondent. The fourth respondent had executed a settlement deed in favour of the petitioner and his sisters. Thereafter, due to dispute arose between themselves, the fourth respondent lodged a complaint before the first respondent and the same was forwarded to the second respondent.



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Pursuant to the said complaint, the second respondent issued a series of directions against the petitioner, including a direction to protect the fourth respondent in the property consisting of five houses and one shop and to evict the petitioner therefrom. Thereafter, the petitioner filed an appeal before the first respondent and the same was dismissed. Challenging the same, the present Writ Petition has been filed.

4. The learned counsel appearing for the petitioner would further submit that, though the petitioner and his wife are residing together, the petitioner is residing in one portion of the property owned by his father, namely, the fourth respondent. Therefore, the petitioner may be permitted to continue to reside in one portion of the property, so as to protect his shelter, while permitting the fourth respondent to enjoy the remaining four houses and one shop by receiving the rent and inducting tenants of his choice in the said portions. Accordingly, he would pray for appropriate orders.

5. Per contra, the learned counsel appearing for the fourth respondent would submit that the petitioner, being his son, had harassed the fourth



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respondent and had also brutally attacked him. Therefore, the fourth respondent lodged a complaint before the second respondent seeking protection of his life and property. Pursuant to the same, the second respondent passed orders in favour of the fourth respondent and the same was affirmed by the first respondent. Hence, the learned counsel would submit that no interference is warranted with the orders passed by the authorities and would pray for dismissal of the Writ Petition.

6. This Court has considered the submissions made by the learned counsel appearing for the petitioner as well as the learned counsel appearing for the fourth respondent and perused the materials available on record.

7. Considering the relationship between the petitioner and the fourth respondent and also taking note of the fact that the property consists of five portions, this Court is of the view that the petitioner may be permitted to occupy one portion of the property, without interfering with the right of the fourth respondent to enjoy the remaining portions of the property.

8. Accordingly, the orders passed by the first and second respondents are modified to the following extent:

(i) The petitioner shall be entitled to occupy one portion of the property, out



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(ii) The fourth respondent shall be entitled to enjoy the remaining four portions, including four houses and one shop, and shall also be entitled to receive the rent from the said portions by inducting tenants of his choice.

(iii) The petitioner shall not, in any manner, interfere with the peaceful possession and enjoyment of the remaining portions of the property by the fourth respondent or with the fourth respondent's right to induct tenants and collect rent from the said portions.

(iv) If the petitioner hereafter interferes with, harasses or causes any threat or obstruction to the fourth respondent in respect of his possession and enjoyment of the remaining portions of the property, it is open to the law-enforcing agency to take appropriate action in accordance with law, including evicting the petitioner from the portion presently occupied by him, subject to due process of law.

9. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.08.2026

NCC : Yes / No
Index : Yes / No

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Internet : Yes

TSG

To

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M.DHANDAPANI,J.

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**ORDER MADE IN
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DATED : 07.08.2026