



W.P.Nos.33043, 33052 & 33055 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.33043, 33052 & 33055 of 2025

and

WMP.Nos.37078, 37080 & 37093 to 37096 of 2025

1.Ravi	... Petitioner in W.P.No.33043 of 2025
2.Thangavel	... Petitioner in W.P.No.33052 of 2025
3.Jayapal	... Petitioner in W.P.No.33055 of 2025

Vs.

1.The Special Deputy Collector,
Revenue Court,
Tiruvarur, Tiruvarur District.

2.The Tahsildar,
Kodavasal Taluk, Tiruvarur District.

... Respondents 1 and 2 in all W.Ps.

3.Narayanan

4.Kasirajan

5.Mohan

... Respondents 3 to 5 in W.P.No.33043 of 2025

6.Narayanan

7.Usha

8.Prasanthi

9.Kasirajan

10.Lakshmiprabha

... Respondents 3 to 7 in W.P.No.33052 of 2025

11.Narayanan

12.Usha

13.Prasanthi

14.Kasirajan



W.P.Nos.33043, 33052 & 33055 of 2025

15.Lakshmiprabha

16.Sudha

... Respondents 3 to 8 in W.P.No.33052 of 2025

WEB COPY

Prayer in W.P.No.33043 of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the proceedings in appeal dated 23.06.2022 filed by the respondents 3 to 5 before the 1st respondent in Ku.Oo.Pa.Me.Mu. Petition No.01/2022 against the order of the 2nd respondent dated 10.02.2005 in Ku.Oo.Pa.No.11/2005, quash the same.

Prayer in W.P.No.33052 of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the proceedings in appeal dated 23.06.2022 filed by the respondents 3 to 7 before the 1st respondent in Ku.Oo.Pa.Me.Mu. Petition No.03/2022 against the order of the 2nd respondent dated 10.02.2005 in Ku.Oo.Pa.No.10/2005, quash the same.

Prayer in W.P.No.33055 of 2025 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the proceedings in appeal dated 23.06.2022 filed by the respondents 3 to 8 before the 1st respondent in Ku.Oo.Me.Mu.Petition.No.02/2022 against the order of the 2nd respondent dated 10.02.2005 in Ku.Oo.Pa.No.12/2005, quash the same.

For Petitioner : Mr.V.Elangovan
(in all W.Ps.)

For Respondents : Mr.G.Velu
(in all W.Ps.) Additional Government Pleader [R1 & R2]

COMMON ORDER

These Writ Petitions have been filed seeking quashment of the proceedings in the respective appeal dated 23.06.2022 filed by the respective private respondents before the 1st respondent in Ku.Oo.Me.Mu



W.P.Nos.33043, 33052 & 33055 of 2025

Petition Nos.01, 03 & 02 of 2022 respectively against the order of the 2nd respondent, dated 10.02.2005 in Ku.Oo.Pa.Nos.11, 10 & 12 of 2005 respectively.

2. Since no adverse order is being passed against the respective private respondents, notice to the respective private respondents is dispensed with.

3. Mr.G.Velu, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 and 2 in all Writ petitions. In view of the consent expressed by the parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The case of the respective petitioner is that one Narayanan and Rajagopal are the owners of the subject properties, which are referred to wetland or irrigated land. The respective petitioner have entered into lease as a cultivating tenant between the said Narayana and Rajagopal and the said lease was registered before the 2nd respondent by orders 10.02.2005 in Ku.Oo.Pa.Nos.11, 10 & 12 of 2005 u/s 4(2), 5(i)(iii) of the Tamil Nadu Agricultural Lands Records of Tenancy Rights Act, 1969.



W.P.Nos.33043, 33052 & 33055 of 2025

WEB COPY

Thereafter, the respective petitioner were in possession and doing agriculture in the subject properties. Whiles, some of the private respondents restrained the respective petitioner from doing agriculture in the above land and tried to encroach the subject properties. However, the respective petitioner prevented them from encroaching the subject properties with the help of neighbour land owners. Therefore, the respective petitioner filed suits in O.S.Nos.15 and 13 of 2021 before the District Munsif-cum-Judicial Magistrate Court, Nannilam against the said respondents for the relief of permanent injunction. Pending suits, the respective private respondents filed appeals before the 1st respondent against the order dated 10.02.2005 on the file of the 2nd respondent with the delay of 17 years and the same was taken on file as Ku.Oo.Me.Mu. Petition Nos.01, 03 & 02 of 2022, without deciding the limitation aspect. As against the proceedings initiated by the 1st respondent in the said appeals, the respective petitioner have filed these writ petitions before this Court.

5. The learned counsel appearing for the respective petitioner submit that as per rule, the period for preferring an appeal is only 60 days. Though the 2nd respondent has passed the orders in the year 2005,



W.P.Nos.33043, 33052 & 33055 of 2025

however after a period of 15 years, the private respondents have preferred appeals before the 1st respondent, which is wholly unsustainable. Further, the private respondents are not the aggrieved persons and the original owners are the aggrieved persons. Accordingly, he prays for allowing these writ petitions.

6. On the above contentions, heard the learned Additional Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.

7. Admittedly, the said Narayanan and Rajagopal are the original owners of the subject properties and the respective petitioner have entered lease with them, which was registered before the 2nd respondent vide order dated 10.02.2005. Subsequently, in the year 2020, some of the private respondents have purchased the said properties from the original owners when the record of tenancy is in force in favour of the respective petitioner. Thereafter, the respective petitioner have filed suits, in which, though initially injunction was granted, subsequently the injunction was vacated. Since the record of tenancy is in favour of the respective petitioner, the private respondents have preferred appeals before the 1st



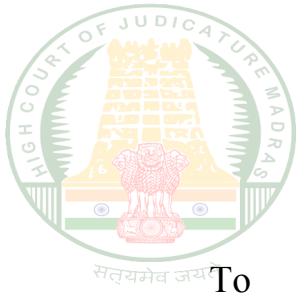
W.P.Nos.33043, 33052 & 33055 of 2025

respondent as against the orders passed by the 2nd respondent. If at the respective petitioner have any grievance, they have to approach the appellate authority for appropriate remedy. Without doing so, filing these writ petitions after a period of three years from filing of the appeals by the private respondents before the 1st respondent is *per se* unsustainable. Therefore, the prayer sought for by the respective petitioner cannot be granted and these writ petitions are liable to be dismissed.

8. Accordingly, these Writ Petitions are dismissed. However, liberty is granted to all the respective petitioner to canvass all the points before the appellate authority in the manner known to law. No costs. Consequently, the connected Miscellaneous petitions are closed.

01.09.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp



W.P.Nos.33043, 33052 & 33055 of 2025

To
WEB COPY

- 1.The Special Deputy Collector,
Revenue Court,
Tiruvarur, Tiruvarur District.
- 2.The Tahsildar,
Kodavasal Taluk, Tiruvarur District.



WEB COPY



W.P.Nos.33043, 33052 & 33055 of 2025

M.DHANDAPANI, J.

sp

W.P.Nos.33043, 33052 & 33055 of 2025
and
WMP.Nos.37078, 37080 & 37093 to 37096 of 2025

01.09.2025