



WMP NO. 8195 c



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-03-2025

CORAM

WEB COPY

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR**

**WMP Nos. 8195 & 8205 of 2025 in**

**W.P.Nos.20900 & 20904 of 2024 &**

**WMP.Nos.8196 & 8206 of 2025**

**RAGOTHAMAN**

S/o.Late Ramalinga Udayar, No.173 Pillaiyar Kovil Stret, Ariyalur  
Village And Post, Sankarapuram Taluk, Kallakurichi District. and  
2 Others

Petitioner(s)

Vs

**Ganam D**

W/o.Deiveegan, No.3/235, West Street, Melur, Villupuram  
District, Tamil Nadu-606 201. and 4 Others

Respondent(s)

**For Petitioner(s):**

R. Bharath Kumar

**For Respondent(s):**

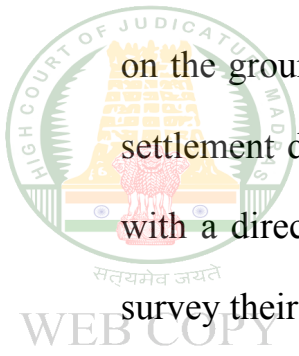
Mr.A.Arunkumar For R1

Mr.P.Sathish, Agp For R2 To R5

**COMMN ORDER**

These applications have been filed by the third party to recall the Order passed by this Court  
in W.P.Nos.20900 & 20904 of 2024 dated 25.07.2024.

2. The Writ Petitions in W.P.Nos.20900 & 20904 of 2024 have been filed to consider the  
representation of the petitioner and to survey his property. The Writ Petitions have been filed



on the ground that the writ petitioner became the owner of the property by the the settlement deed executed by his father. Therefore, the Writ Petitions have been disposed of with a direction to the respondents to dispose of the representation of the petitioner and to survey their property.

3. The grievance of the third party is that he got leave to file a suit in O.S.No79 of 2021 before the Sub Court, Kallakurichi and subsequently, renumbered as O.S.No.222 of 2024 on the file of the learned Principal District Judge, Kallakurichi and an interim Order has also been granted in the suit not to alienate the property. However, suppressing all these facts, the Writ Petitions have been filed and during the pendency of the suit, 36 transactions have taken place.

4. The learned counsel appearing for the respondents would submit that at the time of filing the Writ Petition, the suit has been returned for presentation before appropriate Court. However, the same has not been presented. At any event, according to him, their clients have filed a counter affidavit before the Court, stating that they have no intention in making any further alienation.

5. The counter affidavit filed by the respondents 2 to 5/writ petitioners is taken on file wherein it is stated that they have no intention to alienate the property to any third party. Considering the above facts, as there is an interim Order already operating in the civil suit, any violation will be viewed seriously if there is any further alienation. The rights of the parties shall be decided in the suit.

6. With the above observations, these Writ Miscellaneous Petitions are disposed of. It is also



made clear that if any further construction is put up in the property, the respondent is so  
only with the permission of the Court where the civil suit is pending. Consequently,  
connected miscellaneous petitions are closed. No costs.

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21-03-2025

To

1. The Principal District and Sessions Judge, Kallakurichi.

2. Ganam D

W/o.Deiveegan, No.3/235, West Street, Melur, Villupuram District,  
Tamil Nadu-606 201.

3. The District Collector

Kallakurichi District.

4. The Tahsildar

Vanapuram Taluk, Kallakurichi District.

5. The Head Surveyor,

Vanapuram Taluk, Kallakurichi District.

6. The Village Administrative Officer

Aththiyur Village, Vanapuram Taluk, Kallakurichi District.