



W.P(MD)Nos.4868 & 4869 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)Nos.4868 & 4869 of 2025
and
W.M.P(MD)Nos.3535 & 3541 of 2025**

1.W.P(MD)No.4868 of 2025:

S.Sundarraaj

... Petitioner

vs.

1.The District Collector/Monitoring Committee,
Virudhunagar District, Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi Division, Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Sivakasi Taluk,
Sivakasi, Virudhunagar District.

4.The Block Development Officer,
Sivakasi, Virudhunagar District.

5.Devi
6.K.Ramasamy

... Respondents

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to take immediate action to remove the stones and other materials illegally dumped by the respondents 5 and 6 on the property in the petitioner's possession and to protect his peaceful possession and enjoyment of the said property in Survey Nos. 405/1 and 471/3 situated at Kannan Kovil Street, Viswanatham, Paraipatti, Sivakasi Taluk, Virudhunagar District by considering the petitioner's representation dated 24.01.2025 within a time frame fixed by this Court.

For Petitioner : Mr.P.Saravanakumar

For RR 1 to 4 : Mrs.D.Farjana Ghoushia
Special Government Pleader

2.W.P(MD)No.4869 of 2025:

S.Dhamotharan

... Petitioner

vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sivakasi Division,
Sivakasi, Virudhunagar District.
- 3.The Tahsildar,
Sivakasi Taluk,
Sivakasi, Virudhunagar District.

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4.The Block Development Officer,
Sivakasi,
Virudhunagar District.

5.Devi

6.K.Ramasamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to take immediate action to remove the stones and other materials illegally dumped by the respondents 5 and 6 on the property in the petitioner's possession and to protect his peaceful possession and enjoyment of the said property in Survey Nos. 405/1 and 471/3 situated at Kannan Kovil Street, Viswanatham, Paraipatti, Sivakasi Taluk, Virudhunagar District by considering the petitioner's representation dated 24.01.2025 within a time frame fixed by this Court.

For Petitioner : Mr.P.Saravanakumar

For RR 1 to 4 : Mrs.D.Farjana Ghoushia
Special Government Pleader

COMMON ORDER

(Order of the Court was made by J. NISHA BANU, J.)

The petitioners have filed the present Writ Petitions for a direction to direct the respondents 1 to 4 to take immediate action to remove the stones and



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other materials illegally dumped by the respondents 5 and 6 in the petitioners' property and to protect their peaceful possession and enjoyment of the said property in Survey Nos.405/1 and 471/3 situated at Kannan Kovil Street, Viswanatham, Paraipatti, Sivakasi Taluk, Virudhunagar District by considering their representation dated 24.01.2025 within a time frame fixed by this Court.

2. According to the petitioners, the said property was initially classified as Government poramboke land in the revenue records and their father had been regularly paying all requisite taxes to the Government based on his possession and enjoyment. Subsequently, the petitioners constructed a separate house and paying the respective property taxes individually and also obtained electricity connection. In these circumstances, the respondents 5 and 6 have been creating obstructions by dumping stones and thereby threatening the petitioners to vacate. In this regard, the petitioners submitted a representation dated 24.01.2025 to the respondents 1 to 4 to take action as against the respondents 5 and 6. Since the said representation has not been considered, the petitioners have filed the present Writ Petitions.



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3.Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents 1 to 4 and perused the materials placed before this Court.

4.Perusal of the materials available on record, it is seen that there is a dispute between the petitioners and the respondents 5 and 6 and if at all the petitioners are claiming possession over the said property, the petitioners have only to resort before the civil forum for declaring their title.

5.In view of the above, these Writ Petitions seeking for a Mandamus is not maintainable at this stage. Accordingly, these Writ Petitions are dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] & [S.S.Y.,J.]
24.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

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Sivakasi Division,
Sivakasi,
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- 3.The Tahsildar,
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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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DATED : 24.02.2025