



W.P(MD)No.7446 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2025

CORAM:

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

**W.P(MD)No.7446 of 2025
and W.M.P(MD)Nos.5605, 5608 & 5610 of 2025**

Karuppusamy

... Petitioner

vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The District Revenue Officer,
District Collectorate Office,
Dindigul District.

3.The Revenue Divisional Officer,
Palani,
Dindigul District.

4.The Tahsildar,
Oddanchatram Taluk,
Dindigul District.

5.Sakthivel

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorarified Mandamus calling for the records

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pertaining to the fourth respondent made in proceedings in Na.Ka.No. 5374/2024/B3 dated 06.03.2025 and to quash the same insofar as the petitioner is concerned and to direct the respondents to refrain from evicting the petitioner without following the legal requirements of law.

For Petitioner : Mr.S.Bala Karthick
For RR 1 to 4 : Mr.J.Ashok
Additional Government Pleader
For R – 5 : No appearance

ORDER

(Order of the Court was made by S.SRIMATHY, J.)

The present Writ Petition is filed for a Writ of Certiorarified Mandamus, to quash the impugned order passed by the fourth respondent, dated 06.03.2025.

2.Based on the impugned order, dated 06.03.2025, the petitioner was directed to remove the encroachment.



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3. According to the petitioner, the subject property belonged to him.

However, there was a mistake in the UDR entry. Hence to rectify the mistake, he has filed a suit in O.S.No.1262 of 2022 on the file of the Sub-Court, Oddanchatram, including the Revenue Officials as one of the defendants.

4. It is submitted by the learned Additional Government Pleader appearing for the respondents 1 to 4 that the said suit was dismissed for default, but the same was restored subsequently and the suit is pending.

5. When the right of the petitioner is challenged in the suit, the Revenue Authorities ought to wait for the outcome of the suit. Since the suit is of the year 2022, the Sub Court, Oddanchatram is directed to dispose of the suit in O.S.No.1262 of 2022 on merits and in accordance with law, within a period of one year from the date of receipt of a copy of this order. Until the disposal of the said suit, the Revenue Authorities shall not take any action.



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6. With this observation, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] & [S.S.Y.,J.]
01.04.2025

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



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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