



W.P(MD)No.15952 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.15952 of 2025

K.Vinoth Suyambulingam

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Assistant Director,
District Town and Country Planning,
Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider and dispose of the petitioner's representation dated 04.06.2025 and reallocate the said land as per the lawful and original classification and not treat it as OSR within a time frame fixed by this Court.

For Petitioner

: Mr.P.Muthusaravanan

For Respondents

: Mr.D.Ghandiraj
Special Government Pleader



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ORDER

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This writ petition has been filed for a Mandamus to direct the second respondent to consider and dispose of the petitioner's representation dated 04.06.2025 and reallocate the said land as per the lawful and original classification and not treat it as OSR.

2. The admitted position is that the petitioner has filed a suit before the learned I Additional District Judge, Madurai in O.S.No.174 of 2023 against one Thirunavukkarusu for specific performance based on an unregistered sale agreement, dated 18.11.2020. According to the petitioner, the petitioner has paid a sum of Rs.5,00,000/- to the said Thirunavukkarusu, who breached the said agreement and converted the land into OSR land and sold the rest of the lands to the third parties. Therefore, the petitioner has submitted a representation to the respondents requesting to reallocate the said lands as per the original classification of the land and not to treat it as OSR land.

3. The question of re-allocation of the land as per the original classification cannot be countenanced at this stage in the absence of the said Thirunavukkarusu, against whom the petitioner has rightly invoked the jurisdiction of the Civil Court in O.S.No.174 of 2023. It is open to the



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petitioner to seek appropriate relief from the said Court and thereafter, submit a representation to the respondents to maintain the status quo, if any. Without obtaining any interim order from the trial Court before whom the petitioner has rightly invoked jurisdiction, the request of the petitioner cannot be considered, as it was premature and without any legal basis.

4. Therefore, the writ petition is dismissed with liberty to the petitioner to submit a similar representation, subject to any interim order that may be obtained by the petitioner in O.S.No.174 of 2023 pending before the learned I Additional District Judge, Madurai. There shall be no order as to costs.

13.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The District Collector,
Madurai District.
- 2.The Assistant Director,
District Town and Country Planning,
Madurai.

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C.SARAVANAN, J.

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