



W.P(MD)No.17406 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17406 of 2025

and

W.M.P.(MD)No. 13270 of 2025

Natarajan

... Petitioner

Vs.

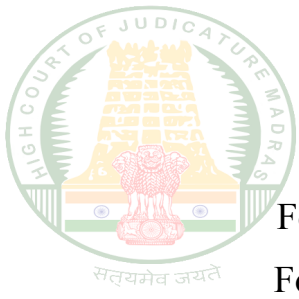
1. The District Collector,
Madurai District,
Madurai.

2. The Revenue Divisional Officer,
Madurai Revenue Division,
Madurai,
Madurai District.

3. The Tahsildhar,
Madurai North Taluk Office,
Madurai,
Madurai District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the respondents and their subordinates from interfering the petitioner's peaceful possession and enjoyment over the property situated in R.S.No.111/9, to the extent of 45 cents, Veerapandi Village, Madurai North Taluk, Madurai District, until the disposal of the petition, which is pending in IA No.2/2025 in O.S.No.130/2025 on the file of the District Munsif Court, Melur.



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W.P(MD)No.17406 of 2025

For Petitioner

: Mr.P.Santhana Krishnan

For Respondents

: Mr.M.Senthil Ayyanar

Government Advocate

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to forbear the respondents and their subordinates from interfering the petitioner's peaceful possession and enjoyment over the property situated in R.S.No.111/9, to the extent of 45 cents, Veerapandi Village, Madurai North Taluk, Madurai District, until the disposal of the petition, which is pending in I.A.No.2 of 2025 in O.S.No.130 of 2025 on the file of the District Munsif Court, Melur.

2.The contention of the petitioner is that the petitioner has purchased the property in the year 1997 and he is in possession of the same for more than 20 years. The petitioner's vendor was in possession from 1956 onwards. The petitioner's vendors were also having patta in their name. When the respondents disturbed the possession, the petitioner has filed a suit in O.S.No.130 of 2025 on the file of the District Munsif Court, Melur.

3.The contention of the respondents is that the land in question is classified as Government Poramboke. Therefore, the petitioner cannot have any patta. The respondents stated that the petitioner was not granted patta. But the



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record shows that the petitioner's vendors were having patta in their name and based on the patta the petitioner's vendors were in possession of the property.

4.In such circumstances, when there is rival claim, the petitioner ought to prove his claim through appropriate Civil Court. The petitioner has filed O.S.No.130 of 2025 wherein the respondents are also parties in the suit. Until the disposal of the suit and the right of the petitioner is determined in the suit, the respondents cannot disturb. An interlocutory application in I.A.No. 2 of 2025 was filed for interim injunction and the same is pending. The stage of the interlocutory application is that the respondents have not filed any counter and written submissions. Therefore, the pleadings are not completed.

5.Hence, this Court is declining to fix the time frame to complete the interlocutory application proceedings. However, the Trial Court is directed to dispose the interlocutory application expeditiously. Until the disposal of the interlocutory application, the first respondent shall not disturb the petitioner's possession.

6.With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is



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27.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Tmg

To:

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Madurai District,
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Madurai,
Madurai District.
3. The Tahsildhar,
Madurai North Taluk Office,
Madurai,
Madurai District.

Copy to

District Munsif Court,
Melur.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.17406 of 2025**

DATED : 27.06.2025