



W.P.(MD)No.20206 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2025

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.20206 of 2023 &
W.M.P.(MD)Nos.16678 of 2023 & 16793 of 2025

Dr.K.Shanmuganathan

...Petitioner

vs.

1.The District Collector,
Trichy District,
Trichy.

2.The District Revenue Officer,
Trichy District,
Trichy.

3.The Revenue Divisional Officer,
Trichy,
Trichy District.

4.The Commissioner,
Tiruchirapalli Corporation,
Bharathidasan Road,
Contonment, Trichy District.

5.The Thasildar,
East Taluk,
Trichy District.

6.Guru Garden Residence Welfare Association,
Rep. by its President,
R.Rajendran,
S/o.Ramaiya,
No.78, Guru Garden, Chettiyapatti,



W.P.(MD)No.20206 of 2023

Edamalaipatti,
Pudur Post, Trichy - 620 012.

...Respondents

(R6 is impleaded *vide* Court order dated 10.07.2025 in W.M.P.(MD)No. 13214 of 2025 in W.P.(MD)No.20206/2023)

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from disturbing the peaceful possession and enjoyment of the petitioner's property in S.No. 237/1A26 and 1A30 in T.S.No.78 in K.Sathanaur North Village, Trichy East, Trichy District.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mrs.K.Malathi,
Additional Government Pleader
for R1 to R3, R5
Mr.B.Saravanan, senior counsel
for Mr.D.Kirubakaran,
for M/s.B.Sarvam Associates for R6
Mr.K.R.Kishore Ram
for M/s.R.B.Law Associates for R4

ORDER

This Writ Petition has been filed to forbear the respondents from disturbing the peaceful possession and enjoyment of the petitioner's property in S.No.237/1A26 and 1A30 in T.S.No.78 in K.Sathanaur North Village, Trichy East, Trichy District.



W.P.(MD)No.20206 of 2023

2. The owner / promoter of 'Guru Garden' situated at K.Sathanaur North Village, Trichy East, Trichy District, gifted 1790 sq. ft to the fourth respondent Corporation on 10.11.2010. However, the petitioner is claiming right over the said property stating that he is the absolute owner of the property in S.No.237/1A26 and 1A30 in T.S.No.78 in K.Sathanaur North Village, Trichy East, Trichy District and patta also stands in his name.

3. The learned counsel appearing for the petitioner would submit that though the property was gifted as early as on 10.11.2010, the petitioner was not aware of the same. Once the petitioner gained knowledge, he has filed the present writ petition. According to him, the petitioner already owns 5 acres of lands situated adjacent to 'Guru Garden' and this 1790 sq. ft. also falls within that area. Hence, he prayed for allowing the Writ Petition.

4. The learned senior counsel appearing for the sixth respondent would submit that the members of the sixth respondent Association have purchased the plots in 'Guru Garden'. When the road is about to be formed, the petitioner is making objections for the same.

5. The learned counsel appearing for the fourth respondent would submit that the subject land was already gifted to the Corporation on



W.P.(MD)No.20206 of 2023

10.11.2010 itself and based on that Gift deed, the Corporation has proceeded to lay the road. Since the petitioner is now objecting, they are not in a position to lay the road.

6. I have given due consideration to the submissions made on both sides.

7. In the present case, the petitioner claims title over the 1790 sq. ft, which is said to be gifted by the owner of 'Guru Garden' to the fourth respondent Corporation on 10.11.2010. When the Corporation intended to lay the road, the petitioner made objections stating that the said land falls within the area of 5 acres of his land, situated adjacent to the layout of Guru Garden. However, it appears that not only the petitioner is claiming right over the said property, but also one Rathinavelu. Therefore, clearly there is a title dispute. Though the petitioner argues that the dispute should be resolved by this Court, I am of the view that, this Court sitting under Article 226 of the Constitution of India, cannot decide such disputes. Such being the case, I do not find any merits in the Writ Petition and the same is liable to be dismissed as devoid of merits.



W.P.(MD)No.20206 of 2023

8. Accordingly, this Writ Petition is dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

15.12.2025

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

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Trichy District, Trichy.

3.The Revenue Divisional Officer,
Trichy, Trichy District.

4.The Thasildar,
East Taluk,
Trichy District.



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W.P.(MD)No.20206 of 2023

KRISHNAN RAMASAMY, J.

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W.P.(MD)No.20206 of 2023

15.12.2025