



W.P.(MD)No.22807 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.22807 of 2025

and

W.M.P(MD)No.17894 of 2025

Kesawarajan

... Petitioner

-Vs-

- 1.The District Revenue Officer,
District Revenue Office,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti, Thoothukudi District.
- 3.The Commissioner,
Municipal Office,
Kovilpatti, Thoothukudi District.
- 4.The Tahsildar,
Kovilpatti Taluk Office,
Thoothukudi District.
- 5.Rajesh Kanna

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in न.क.गणन.नक.अ1/6794/2024, dated 07.07.2025 passed by the second respondent and consequently impugned eviction notice in न.क.गणन.4040/2024/गप 1 dated 25.07.2025 passed by the third respondent and quash the same as illegal and consequently direct the first and second respondents not to interfere the peaceful possession of the petitioner's land in S.F.No.3/7 to an extent of 0.417 sq.meters situated in Kovilpatti Town, Thoothukudi District.

For Petitioner : Mr.M.Prabu

For R1,R2 & R4 : Mr.M.Sarangan

Additional Government Pleader

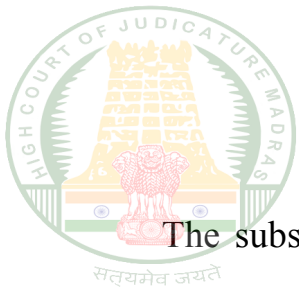
For R3 : Mr.J.Parekh Kumar

ORDER

(Order of the Court was made by ***G.ARUL MURUGAN, J.***)

The writ petition is filed challenging the order of the second respondent dated 07.07.2025 and also the consequential eviction notice issued by the third respondent dated 25.07.2025.

2. The petitioner had filed an appeal before the first respondent challenging the eviction order issued by the second respondent dated 07.07.2025.



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The subsequent order passed by the third respondent is the consequential order pursuant to the order passed by the second respondent.

3. When admittedly the petitioner had preferred an appeal before the first respondent challenging the order of the second respondent dated 07.07.2025, the petitioner cannot parallelly challenge the order of the second respondent in the present writ petition also along with the consequential eviction notice of the third respondent. When the appeal is pending, it is for the petitioner to prosecute the appeal before the first respondent.

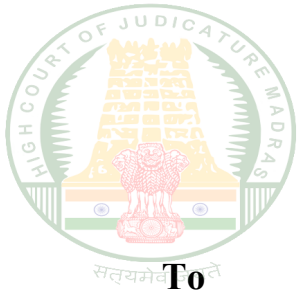
4. In view of the fact that the appeal is still pending, which is filed as against the impugned order of the second respondent, the present writ petition preferred cannot be entertained. Accordingly, the writ petition is dismissed leaving it open to the petitioner to prosecute the appeal, which is pending before first respondent. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
21.08.2025

NCC : Yes / No

Index : Yes / No

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