



WP.(MD)No.27767 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22.10.2025

CORAM :

**THE HONOURABLE Mr. JUSTICE P.VELMURUGAN
and
THE HONOURABLE Mrs. JUSTICE L.VICTORIA GOWRI**

**WP.(MD)No.27767 of 2024
in
WMP(MD) No.23568 and 23569 of 2024**

S.Kesavan

... Petitioner

vs.

1.The Commissioner/Competent Authority,
Smugglers and Foreign Exchange Manipulators Office,
No.1, 64/1, G.N.Shetty Road,
T.Nagar, Chennai.

2.The District Collector,
Collectorate Campus,
Ramanathapuram,
Ramanathapuram District.

3.The Tahsildar,
Taluk Office,
Ramanathapuram Taluk & District.

4.Ashok Kumar

... Respondents

PRAYER: Writ Petition Criminal is filed under Article 226 of the
Constitution of India to issue Writ of Certiorarified Mandamus to call



WP.(MD)No.27767 of 2024

for the records pertaining to the impugned orders of attachment, vide proceedings F.No.OCA/MDS/2734/88, dated 24/09/2003 and F.No.OCA/MDS/2734/88 dated 10/12/2003 issued by the 1st respondent and consequently impugned order issued by the second respondent vide proceedings Pa.Ma.No.(D3)96334/03, dated 22/03/2006 and further impugned order issued by the 3rd respondent Vide No.K.A.N2/155/04, dated 28/09/2005 and quash the same as illegal, improper, unlawful, unconstitutional and arbitrary and consequently, direct the respondents 1 to 3 to restore the properties in its original position comprised in Survey No.311/6 situated at Kalanikudi Hamlet of Devipattinam Revenue Village, Ramanathapuram Taluk and district.

For Petitioner : Mr.R.Murugan
For R-1 : Mr.K.Govindarajan,
Deputy Solicitor General of India
For R-2 & R3 :Mr.N.RameshArumugam,
Government Advocate
For R4 : Mr.S.N.Sathishwaran

ORDER

(Order of the Court was made by **P.VELMURUGAN. J.,**)

The petitioner has filed this writ petition challenging the proceedings in F.No.OCA/MDS/2734/88, dated 24/09/2003 and



WP.(MD)No.27767 of 2024

F.No.OCA/MDS/2734/88 dated 10/12/2003 issued by the 1st respondent and consequential proceedings issued by the second respondent in Pa.Ma.No.(D3)96334/03, dated 22/03/2006 and also the order issued by the 3rd respondent vide No.K.A.N2/155/04, dated 28/09/2005 and quash the same as illegal, improper, unlawful, unconstitutional and arbitrary and consequently, direct the respondents 1 to 3 to restore the properties in its original position comprised in Survey No.311/6 situated at Kalanikudi Hamlet of Devipattinam Revenue Village, Ramanathapuram Taluk and district.

2. Order under Section 19(1) of the SAFEMA Act was issued on 24.09.2003 to one K.Kuppaiyan who is the owner of the property. It is stated that there is an appeal remedy as against that order. It is brought to the notice of this Court that the said Kuppaiyan died in the year 2003. During his life time, the said Kuppaiyan had not challenged the said order and subsequently, the present petitioner who is said to have purchased the property in the year 2008, has now challenged the order dated 24.09.2003 in the year 2024.



WP.(MD)No.27767 of 2024

3. Since the original order was passed in the year 2003 against Kuppaiyan and when he had not chosen to challenge the said order, the petitioner who is the said to be the subsequent purchaser of the property, cannot challenge the said order after two decades, on the ground that the impugned order dated 24.09.2003 is hit by violation of the principals of natural justice and reflects non-application of mind.

4. In view of the same, the Writ petition stands dismissed. If at all the petitioner is aggrieved, he is at liberty to work out his remedy in the manner known to law. No costs. Consequently connected miscellaneous petitions stand closed.

(P.V., J) (L.V.G., J)
22.10.2025

Index : Yes/No

Internet : Yes/No

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To

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WP.(MD)No.27767 of 2024

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3.The Tahsildar,
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4.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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WP.(MD)No.27767 of 2024

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and
L.VICTORIA GOWRI, J.**

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WP(MD)No.27767 of 2024

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