



W.P.(MD) No.28654 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2025

CORAM:

**THE HONOURABLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P.(MD) No.28654 of 2025
and
W.M.P.(MD) Nos.22244 & 22246 of 2025**

Loganathan
S/o.Ayyannan
Chokkadevanpatti
Valanthur Post
Usilampatti Taluk
Madurai District

... Petitioner

-VS-

1.The District Collector
Madurai District
Madurai

2.The Tahsildhar
O/o.Tahsildhar
Usilampatti Taluk
Madurai District

... 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 pertaining to the impugned Form-6 notice dated 16.04.2025 issued by the 2nd respondent and quash the same as illegal and consequently directing the 2nd respondent not to demolish the house of the petitioner bearing Survey No.174/17 situated Chockkadevanpatti, Adi-Dravidar Colony, Usilampatti Taluk, Madurai District.

For Petitioner : Ms.A.Rajini

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Though many grounds have been urged, taking into consideration the admitted position on record that aggrieved by the order of removal of possession treating it as encroachment, the petitioner has already availed the statutory remedy of appeal, we are not inclined to entertain this petition for that reason alone.



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2. At this stage, learned counsel for the petitioner would urge this court to intervene on the apprehension that during the pendency of the appeal, the petitioner's building may be demolished by the authorities.

3. If the petitioner apprehends that during the pendency of appeal, some coercive steps may be taken by the authorities, the petitioner's remedy lies in moving a stay application, if not already moved before the appellate authority, before whom the appeal is pending.

4. We hereby direct that in case the petitioner has already filed an application for stay, the same shall be decided by the appellate authority within a period of fifteen days. The petitioner shall appear along with the copy of this order before the District Collector, Madurai, on 16.10.2025. Within a period of fifteen days therefrom, the District Collector, Madurai, shall endeavour to pass an order – either final order or if it is not possible, to decide the stay application one way or the other.

5. For a period of fifteen days, there shall be no demolition. If any adjournment is sought by the petitioner on the date fixed for hearing of



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the stay application, the protective umbrella granted by this Court shall lose its efficacy.

6. Petition is, accordingly, disposed of. There shall be no order as to costs. Consequently, connected interim applications are closed.

[MANINDRA MOHAN SHRIVASTAVA, C.J.] [R.POORNIMA, J.]
13.10.2025

NCC : Yes / No

Index : Yes / No

Note to Office:

Issue order copy by 14.10.2025.

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To:

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildhar,
O/o.Tahsildhar,
Usilampatti Taluk,
Madurai District.



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