



W.P(MD)No.33224 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.33224 of 2025

and

W.M.P(MD)No.26229 of 2025

1.Pandiammal

2.Dhanalakshmi

... Petitioners

Vs.

1.The District Collector,
Madurai District.

2.The Tahsildar,
Melur,
Madurai.

3.The Block Development Officer,
Melur,
Madurai.

4.The Head Surveyor,
Melur Taluk,
Madurai.



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5.The Executive Officer,
Therkutheru Panchayat,
Melur,
Madurai.

6.Chandiveeran

7.Pandi

8.Selvam

9.Kumar

10.Karthik

11.Rajendran

12.Moolapandi

13.S.Karanthamalai

14.M.Kakkan

15.Kaalamegam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 1 to 5 restraining the respondents 6 to 15 herein from illegally trespassing into the land with an extent of 11 cents 4.5 Ares in S.No.248/6 of Therkutheru Village, Melur Taluk, Madurai District till the disposal of the suit in O.S.No.5 of 2025 on the file of Munsif Court, Melur filed by the petitioner under the guise of fencing the land in S.No. 248/1 of the said village.



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For Petitioners : Mr.S.M.Arun Kumaar
For Respondents : Mr.B.Ramanathan
Additional Government Pleader
for R.1, R.2 & R.4

Mr.S.Kameswaran
Government Advocate
for R.3 & R.5

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the respondents 1, 2 and 4 and the learned Government Advocate appearing for the respondents 3 and 5. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

2.The petitioners have filed O.S.No.5 of 2025 on the file of the District Munsif Court, Melur seeking the relief of permanent injunction in respect of the suit property. The suit property measures an extent of 11 cents and is comprised in Survey No.248/6 in Therkutheru Village. The petitioner apprehends that the private respondents herein may trespass. I make it clear that since the petitioner has already filed a civil suit, he has to work out his remedy only before the civil Court.

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3.The learned counsel for the petitioners states that filing of this writ petition has become necessary on account of the fencing being put up by the Block Development Officer, Melur. I make it clear that since the civil Court is seized of the matter, the suit property shall not be fenced by the official respondents. I consciously refrain from granting any relief against the private respondents.

4.This Writ Petition is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

21.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1.The District Collector,
Madurai District.

2.The Tahsildar,
Melur, Madurai.

3.The Block Development Officer,
Melur,
Madurai.

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4.The Head Surveyor,
Melur Taluk,
Madurai.

5.The Executive Officer,
Therkutheru Panchayat,
Melur,
Madurai.

Copy to

The District Munsif Court,
Melur.



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G.R.SWAMINATHAN, J.

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