



W.P.(MD) No.36861 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.12.2025

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD) No.36861 of 2025

and

W.M.P.(MD) Nos.29302 & 29303 of 2025

Lakshmi

... Petitioner

-vs-

1.The District Collector
Ramanathapuram
Ramanathapuram District

2.The II Class Executive
Magistrate cum Tahsildar
Kadaladi
Ramanathapuram District

3.The Executive Officer
Sayalkudi Town Panchayat
Ramanathapuram District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records relating to the impugned order issued by the second respondent in Na.Ka.B3/617/2018, dated 19.12.2025 and quash the same as illegal.



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W.P.(MD) No.36861 of 2025

For Petitioner : Mr.Raja Karthikeyan
for Mr.G.Ganeshkumar

For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1 & R2

ORDER

[Order of the Court was made by P.VELMURUGAN, J.]

This writ petition has been filed challenging the notice dated 19.12.2025, issued by the second respondent, directing the petitioner to take her belongings from the subject land as the encroachments made by her in the subject land are going to be removed by 22.12.2025.

2. A perusal of the records shows that already a suit in O.S.No.36 of 2025 (as found from the typed set filed in W.P.(MD) Nos.36873 to 36880 of 2025) has been filed in respect of the subject property and the same is pending on the file of the District Munsif Court, Kadaladi. Since the petitioner is unable to get any interim order in her favour in the pending suit, she has approached this Court by filing the present writ petition. Since the dispute is civil in nature and requires pleadings and evidence, and since the facts must be proved by leading evidence, the same cannot be decided in writ proceedings



W.P.(MD) No.36861 of 2025

under Article 226 of the Constitution of India. Therefore, this writ petition is liable to be dismissed.

3. Accordingly, this writ petition is dismissed. However, liberty is granted to the petitioner to work out her remedy in the manner known to law before the Civil Court in the pending suit. No costs. Consequently, connected miscellaneous petitions are closed.

[P.V., J.] [M.J.R., J.]

26.12.2025

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

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To:

- 1.The District Collector,
Ramanathapuram,
Ramanathapuram District.
- 2.The II Class Executive
Magistrate cum Tahsildar,
Kadaladi,
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W.P.(MD) No.36861 of 2025

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