



WEB COPY

WP No. 5953 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 5953 of 2026

AND

WMP NO. 6481 OF 2026

1. Usharani
2. Nalina
3. Poornachandrika

..Petitioner(s)

Vs

1. The District Collector
Namakkal District
at Ermapuram Post
Namakkal Taluk.
2. District Revenue Officer
Namakkal
at Ermapuram Post
Namakkal Taluk
3. Revenue Divisional Officer
Tiruchengode at Tiruchengode Town.
4. Tahsildar
Paramathi Velur Taluk
at Padamudipalayam Velur Post
Paramathi Velur Taluk.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India for a writ of Mandamus directing the respondents to consider the petitioners representation dated 08.10.2025 and take immediate action to execute the warrant of delivery of possession of the property of the petitioners comprising 2.15 Acres in S.No.211 of Sullipalayam Village, Namakkal District as directed by the Learned District Munsif Court, Paramathy by order dated 14.02.2019 passed in REA No.50 of 2012 in REP.No.22/2010 as well by order dated 21.06.2025 in REP.No.22/2010 in O.S.No. 1/1998.



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For Petitioner(s):

Mr.Manojkumar N

For Respondent(s):

Mr.V.Jeevagiridharan, Additional Government
Pleader

Order

The petitioner has filed the writ petition to direct the respondents to consider the petitioner's representation dated 08.10.2025 and take immediate action to execute the warrant of delivery of possession of the petitioners' property.

2. The contention of the petitioners is that they are the absolute owners of an extent of 2.15 acres in S.F.No.211, Sullipalayam Village, Paramathy Velur Taluk, Namakkal District. During the Updation of Digital Records (UDR) Scheme, the Suit Schedule property was erroneously classified as Poramboke land. Therefore, the petitioners have filed O.S.No.1 of 1998 before the District Munsif Court, Paramathi, seeking declaration of title. The Advocate Commissioner's report also confirmed the petitioner's possession and cultivation. The decree was obtained in favour of the petitioners, which had attained finality upon dismissal of the Second Appeal. The petitioners had initiated execution proceedings in E.P.NO.22 of 2010. Since no action was taken to deliver the possession of the property to the petitioners, they have sent a representation dated 08.10.2025, which has also remained unattended. Hence, the petitioners are before this Court.



3. The learned counsel for the petitioners submitted that despite initiation of execution proceedings, dismissal of obstruction petitions filed by encroachers, the petitioners have been deprived of possession due to inaction on the part of the respondents.

4. Heard both sides and also perused the materials available on record.

5. Though several grounds have been raised by the petitioners, this writ petition is not maintainable in as much as the petitioners are seeking to execute the decree issued by a Civil Court by invoking the provision of Article 226 of the Constitution of India. Admittedly the petitioner has initiated Execution Proceedings in REP.No.22/2010. Further it is also brought to the notice of this Court that the obstruction petitions have been filed, which also have been dismissed by the Court below. In such a case, the learned District Munsif, Paramathy, shall pass appropriate order, directing the delivery of possession to the petitioners. The respondents herein shall provide all the necessary assistance for ensuring the execution of the decree. The jurisdictional police shall also give necessary police protection to the amin or bailiff, while executing warrants.



6. This Writ Petition is dismissed with the above observations. No costs.

Consequently connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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