



W.P.Crl.No.850 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2026

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CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

WP.Crl.No.850 of 2026 and
WPMP.Crl.No.290 & 291 of 2026

Ramasubramanian

... Petitioner

Vs.

1.The District Revenue officer,
Office of the District Revenue Officer,
Thiruvarur District Collectorate,
Thiruvarur - 610 001.

2.The Sub-Divisional Magistrate-Cum- The Revenue Divisional Officer,
Office of the Sub-Divisional Magistrate,
Thiruvarur District - 610 001.

3.The Thasildar,
Office of the Thasildar,
Valangaiman Taluk,
Thiruvarur District - 611 104.

4.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nannilam, Thiruvarur District - 611 106.

5.The Inspector of Police,
Valangaiman Police Station,
Valangaiman Taluk,
Thiruvarur District - 611 104.

6.Vaithyanathan

7.Karmegam

(respondents 6 & 7 impleaded as per order
dated 03.06.2026 in WPMP.Crl.No.342 of 2026
in WP.Crl.No.850 of 2026)

... Respondents



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Prayer:

Writ Petition(Crl.) filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari calling for the records pertaining to the impugned order in Na.KA.1899/202/A5 dated 09.01.2026 on the file of the 2nd respondent and to quash the same

For Petitioner : Mr.G.Anandraj

For Respondents

For R1 to 5 : Mr.R.Ganesh Kumar,
Counsel for Government of
Tamil Nadu (Criminal Side)

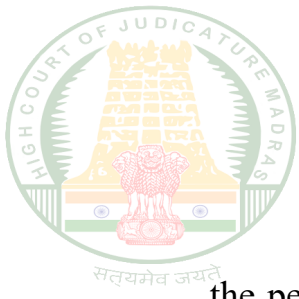
For R6 : M/s.S.Premalatha

ORDER

This writ petition has been filed challenging the order dated 09.01.2026 passed by the second respondent under Section 164 of BNSS thereby directing to administer the Village Community Property by the Tahsildar as contemplated under Section 164(8) of BNSS.

2 The following lands stand in the name of various persons:

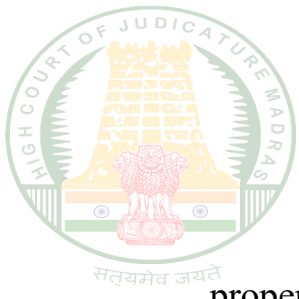
Sr.No	Survey No.	Extent (Hector)	Patta No.	Patta Holder Name
1	4/14	1.27.50	584	Pattammal and 82 others
2	7/2	0.79.50	584	Pattammal and 82 others
3	116/4	0.20.50	1	Arulmigu Egambareshwarar suvami Thirukovil
4	154/4	0.06.00	584	Pattammal and 82 others



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3. It is a village community land. There were disputes among the petitioner and respondents 6 & 7 in respect of enjoyment of the said land. Therefore, on a complaint, it was referred before the second respondent to initiate proceedings under Section 164 of BNSS. After due enquiry by giving opportunity of hearing to the parties i.e. a, b & c parties, it was found that there was a law and order issue in respect of claiming possessory right over the subject property by three parties. Therefore, the second respondent rightly appointed the Tahsildar as receiver to administer the said property.

4. The learned counsel for the petitioner would submit that the second respondent has no jurisdiction to pass such order under Section 164(8) of BNSS and before passing such order, the second respondent ought to have verified the possession of the subject property. Therefore, it is clear violation of provision under Section 164(4) and 6(a) of BNSS. He further submits that the petitioner alone was in possession and enjoyment of the subject property for the past thirty years and he only cultivated the land and planted crops. Now the stage is in harvesting and as such the petitioner may be permitted to harvest the crops by taking possession of the subject land.



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5. On perusal of the records, it is revealed that the subject

property is a village community property standing in the name of several persons. There are three claimants over the subject property i.e. the petitioner, respondents 6 & 7. There was law and order issue and as such, the first respondent referred the complaint to initiate proceedings under Section 164 of BNSS before the second respondent. The second respondent conducted detailed enquiry and found that all the three persons i.e. the petitioner, respondents 6 & 7 are claiming possessory right over the property. Therefore, all the parties were directed to approach the civil court for appropriate relief. In the meanwhile, administration of the property has been entrusted with the Tahsildar. Now the Tahsildar is administering the property. That apart, the persons who are having leasehold right over the subject property have filed suits in OS.Nos.22, 23 & 24 of 2025 on the file of the District Munsif Court, Valangaiman and all the suits are pending against the petitioner for adjudication. In the suits, the petitioner filed petition for rejection of plaint in IA.No.2 of 2026 and it is also pending for adjudication. Further, so far the petitioner or respondents 6 & 7 did not file any suit for declaration or injunction in respect of the subject property. Only if the second respondent passed order by granting possession in favour of one party, then the submission of the petitioner, that the second respondent

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passed order without following the procedure as contemplate under

Sections 164(4) and 6(a) of BNSS, can be considered. The second respondent did not order for possession of the property in anybody's favour. Therefore, the contention of the petitioner cannot be countenanced and this Court finds no infirmity or illegality in the impugned order. As such, this writ petition is liable to be dismissed.

6. In view of the above discussion, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed.

There shall be no order as to costs.

03.06.2026
(2/2)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

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Office of the District Revenue Officer,
Thiruvarur District Collectorate,
Thiruvarur - 610 001.

2.The Sub-Divisional Magistrate-Cum- The Revenue Divisional Officer,
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Nannilam, Thiruvarur District - 611 106.

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Valangaiman Police Station,
Valangaiman Taluk,
Thiruvarur District - 611 104.

6.The Public Prosecutor,
High Court of Madras

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(2/2)