



W.P(MD)No.6514 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.6514 of 2026

and

W.M.P(MD)No.5435 of 2026

Prakasammal.H

... Petitioner

Vs

1. The District Collector,
Madurai Collector Office,
Madurai - 625 020.
2. The Special Deputy Collector,
Tamil Nadu Cultivating Tenancy Protection,
The Special Revenue Court,
Madurai Collector Office Campus,
Madurai.
3. The Tahsildar,
Vadipatti Taluk Officer,
Vadipatti, Madurai.
4. Sridharan
5. Vasumathi
6. Radha
7. Madhavan
8. Venugopalan K
9. Thiruselvam

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records which is pending on the file of second respondent in T.C.T.P.No. 18 of 2023 and quash the same and consequently direct the second respondent to not to pass orders in T.C.T.P.No.18 of 2023, till the disposal of the suit in O.SNo.718 of 2025 and O.S.SR.No.309 of 2026 which is pending before the Principal Subordinate Judge, Madurai.

For Petitioner : Mr.R.Saravanakumar

For R-1 to R-3 : Mr.T.Amjadkhan
Government Advocate

For R-7 : Mr.Mathava Selvam

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records which is pending on the file of second respondent in T.C.T.P.No. 18 of 2023 and quash the same and consequently direct the second respondent to not to pass orders in T.C.T.P.No.18 of 2023, till the disposal of the suit in O.SNo.718 of 2025 and O.S.SR.No.309 of 2026 which is pending before the Principal Subordinate Judge, Madurai.,



2. The petitioner claims right over the property based on a letter dated 12.12.2001, wherein the petitioner's husband had written to the fourth respondent stating that there was a sale agreement between them. Hence, the petitioner has filed a suit in O.S. No. 718 of 2025 on the file of the Principal Subordinate Court, Madurai, for injunction, and also filed O.S. S.R. No. 309 of 2026 for specific performance. On the other hand, respondents 4 to 8 claim rights over the property.

3. The learned counsel appearing for the seventh respondent submitted that he is the Power Agent for respondents 4 to 6 and 8, who had filed a petition against the ninth respondent to evict him. The ninth respondent is the son of the petitioner. The petitioner and the ninth respondent are claiming rights over the property through the petitioner's late husband, namely Harikrishnan, who had written the letter dated 12.12.2001.

4. The eviction proceedings are statutory proceedings pending before the second respondent. When such statutory proceedings have been initiated, the same cannot be stopped by this Court. The petitioner cannot seek to stay the statutory proceedings pending before the second respondent. If the petitioner is aggrieved, she should obtain appropriate orders from the competent Civil Court. The petitioner has to face both the civil suits as well as the statutory proceedings, and no interim order can be granted to stay the statutory proceedings.



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5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23.03.2026

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

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To:

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Madurai - 625 020.
2. The Special Deputy Collector,
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The Special Revenue Court,
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Madurai.
3. The Tahsildar,
Vadipatti Taluk Officer,
Vadipatti, Madurai.



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S.SRIMATHY, J.

jbr

**ORDER MADE IN
W.P(MD)No.6514 of 2026**

DATED : 23.03.2026