



W.M.P.(MD)No.6217 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.04.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.M.P.(MD)No.6217 of 2026
in
Rev.Apl.W.(MD)No.SR15830 of 2025
in
W.P.(MD)No.23884 of 2022**

A.Mayan

... Petitioner

Vs.

1.The District Forest Officer,
Madurai Forest Division,
Madurai, Madurai District.

2.The Forest Ranger,
Usilampatti Forest Range,
Usilampatti Taluk,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Madurai District.

4.The Assistant Engineer,
TANGEDCO,
Rural West Usilampatti,
Madurai District.

... Respondents



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Prayer in W.M.P.(MD)No.6217 of 2026 : Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 828 days in filing the Review Application against the order in W.P.(MD)No.23884 of 2022, dated 17.10.2022.

Prayer in Rev.Apl.W.(MD)No.SR15830 of 2025 : Review Application is filed under Section 114 r/w. Order 47 Rule 1 of Civil Procedure Code, to allow the review application and set aside the order passed in W.P.(MD)No.23884 of 2022, dated 17.10.2022.

For Petitioner : Mr.A.Abdul Muthalif

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1 to R3.

ORDER
(By G.R.SWAMINATHAN, J.)

Heard both sides.



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2.The petitioner seeks review of the order dated 17.10.2022 made in W.P.(MD)No.23884 of 2022. Since the review application has been filed with delay, this miscellaneous petition has been filed for condoning the same.

3.We went through the order that is sought to be reviewed. It is seen that the petitioner had suffered an eviction order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. Challenge to the said order was repelled by the Hon'ble Division Bench.

4.We called upon the learned counsel for the petitioner to state the reason for review. The learned counsel stated that the petitioner is claiming adverse possession. If that be so, it is a remedy that can be granted only by the jurisdictional Civil Court. In writ proceedings, we cannot declare that the petitioner has perfected title by adverse possession against the government.



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5.Granted liberty to the petitioner to workout his rights in the manner known to law, this miscellaneous petition is dismissed. No costs. Consequently, Rev.Apl.W.(MD)SR.No.15830 of 2025 is also dismissed at the SR stage itself.

(G.R.S. J.) & (R.P. J.)
08.04.2026

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

To:

- 1.The District Forest Officer,
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and
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