



W.A(MD)No.447 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A(MD)No.447 of 2026
and
C.M.P(MD)No.4000 and 4001 of 2026**

M.Nallachamy

... Appellant/Petitioner

VS.

- 1.The Government of Tamilnadu
Rep. by its Chief Secretary,
Fort St. George,
Chennai-600 009.
- 2.The Principal Secretary,
Revenue and Disaster Management Department,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.
- 3.The Commissioner of Land Administration,
Kuralagam,
Chennai-600 005.
- 4.The Director General of Police,
Dr.Radhakrishnan Salai,

1/8



W.A(MD)No.447 of 2026

WEB COPY

Mylapore,
Chennai-600 004.

5.The District Collector,
Dindigul District,
Dindigul-624 004.

6.The Superintendent of Police,
Dindigul District,
Dindigul-624 004.

7.Kabilan

8.R.Karuppasamy

9.Ragupathy

10.Sornam

11.Sivabal

...Respondents/Respondents

PRAYER : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 26.02.2026 made in W.P(MD)No.489 of 2025.

For Appellant	: Mr.V.Ragavachary Senior Counsel for Mr.S.Ramesh
For R1 to R3, R5	: Mr.D.Sasikumar Additional Government Pleader
For R4 & R6	: Mr.K.Sanjay Gandhi Government Advocate (Crl.side)
For R7	: Mr.Sricharan Rangarajan for Mr.S.Sakthi Siddharth
For R8 to R11	: Mr.R.Suriya Narayanan



W.A(MD)No.447 of 2026

WEB COPY

JUDGMENT

[Judgment of the Court was made by N.SATHISH KUMAR, J.)

Challenging the order of the learned Single Judge dismissing the writ petition, the appellant has filed the present writ appeal.

2. The writ petition has been filed seeking a direction to the official respondents to take appropriate legal action against the police officials and the revenue authorities, including the seventh respondent, who is alleged to have illegally grabbed the petitioner's agricultural land in Survey Nos. 415/2A, 2B, 2C and 2D, to an extent of 9 acres and 78 cents, situated at Ottanchathiram Village, Dindigul District, with the support of the said police officials and revenue authorities.

3. The contention raised by the writ petitioner is that he is the auction purchaser of the property, having purchased the same in the year 1950 in an auction conducted by a Co-operative Society. Thereafter, he has been in continuous possession and enjoyment of the property. He filed a suit in O.S. No. 101 of 2009 seeking declaration and injunction before the District Munsif Court,



W.A(MD)No.447 of 2026

WEB COPY

Ottanchathiram, which came to be dismissed on 20.11.2024. According to the petitioner, taking advantage of the dismissal of the said suit, the seventh respondent, with the assistance of the police officials, entered the subject property on 22.11.2024, allegedly took possession of the entire property, and put up stone fencing.

4. Thereafter, the petitioner preferred an appeal in A.S. No.27 of 2024 before the Sub Court, Ottanchathiram, which is pending. The learned Single Judge, taking note of the finding of the Civil Court that possession was not with the petitioner, dismissed the writ petition.

5. The learned Senior Counsel appearing for the appellant placed reliance on various documents. According to him, the appellant is in possession of the property, and the respondents themselves had earlier admitted before the registering authority that they were not in possession and had sought cancellation of certain documents. However, it is now contended that, with the support of influential persons, the respondents have taken a different stand and have dispossessed the appellant from the property. Hence, he seeks a direction to



W.A(MD)No.447 of 2026

WEB COPY initiate legal action against the police officials and the revenue authorities, including the seventh respondent.

6. Be that as it may, the civil suit has already reached its logical conclusion and has been dismissed, wherein a categorical finding has been recorded that the petitioner has not established possession before the Civil Court.

7. In such circumstances, the contentions raised by the appellant cannot be countenanced.

8. Even assuming that dispossession has taken place prior to the filing of the writ petition and during the pendency of the appeal, the appellant is not without remedy. It is always open to the appellant to file an appropriate application under Section 144 of the Code of Civil Procedure for restitution. The question as to whether there was actual dispossession and as to who was in possession is a matter to be decided based on evidence, which cannot be adjudicated in a writ proceeding in the absence of proper proof.



W.A(MD)No.447 of 2026

WEB COPY 9. We do not find any merit in the writ appeal and the same is dismissed.

However, it is left open to the appellant to work out his remedy before the appellate court. If any application for restitution is filed before the Sub Court, Ottanchathiram, the same shall be disposed of on its own merits, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
25.03.2026

NCC : Yes / No
Index : Yes / No
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To

6/8



W.A(MD)No.447 of 2026

WEB COPY

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N.SATHISH KUMAR,J.



WEB COPY



W.A(MD)No.447 of 2026

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ORDER MADE IN
W.A(MD)No.447 of 2026

DATED : 25.03.2026