



W.P(MD)No.10279 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE P.B.BALAJI**

**W.P(MD)No.10279 of 2026
and
W.M.P(MD)No.8084 of 2026**

1.P.Kaliappan

2.K.Shanmugavelu

... Petitioners

vs.

1.The Thasildar,
East Taluk Office,
Dindigul - 624 001.

2.The Town Surveyor,
Dindigul Municipal Corporation,
Dindigul - 624 001.

3.The Inspector of Police,
Town North Police Station,
Dindigul - 624 001.

4.N.Velusamy

... Respondents

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to stop the illegal construction by 4th respondent in the site of petitioners until compliance of orders of this Court in W.P.(MD)No.3648 of 2026 dated 10.02.2026 pending before 1st and 2nd respondents and subsequent petitioners' complaint before 3rd respondent dated 04.04.2026.

For Petitioners : Mr.B.Mohamad Kalibullah

For Respondents : Mr.A.Kannan (R1)
Additional Government Pleader

: Mr.J.Lawrance (R2)
Standing Counsel

: Mr.K.Sanjay Gandhi (R3)
Government Advocate (Criminal Side)

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

W.M.P.(MD) No.8084 of 2026, filed seeking permission to file a single Writ Petition, is ordered.



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2.The petitioners have filed the present Writ Petition seeking a direction to the respondents 1 and 2 to stop the alleged illegal construction put up by the fourth respondent in the petitioners' property, pending compliance with the order of this Court in W.P.(MD) No.3648 of 2026 dated 10.02.2026, which is stated to be pending before respondents 1 and 2, and in light of the subsequent complaint given by the petitioners to the third respondent dated 04.04.2026.

3.The petitioners state that they are engaged in business and agricultural activities and have purchased a vacant site measuring 4550 sq.ft. at Dindigul through a registered sale deed dated 19.05.2021. Upon applying for transfer of patta, they found that patta had been wrongly issued in favour of the fourth respondent. On their application, the Revenue Divisional Officer, Dindigul, by proceedings dated 24.04.2025, directed issuance of separate pattas to the petitioners and the fourth respondent. However, the said order has not been implemented, as their online applications were repeatedly rejected on the ground that the land was "not verified." Despite



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representations and a prior direction of this Court in W.P.(MD) No.3648 of 2026, no action has been taken. In the meantime, the fourth respondent has allegedly trespassed into the property and commenced construction. Though a complaint was lodged on 04.04.2026, no action has been taken, necessitating the filing of the present Writ Petition.

4.Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents 1 to 3, and perused the materials available on record.

5.A perusal of the affidavit filed in support of the Writ Petition indicates that the dispute between the parties is essentially a private dispute relating to title in respect of T.S.Nos.1961/1A and 1958/B2. The allegations of encroachment, construction, and grant of patta in favour of the fourth respondent involve seriously disputed questions of fact, which cannot be adjudicated in a writ petition under Article 226 of the Constitution of India, particularly in the nature of Mandamus. In such circumstances, we are not



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inclined to entertain the Writ Petition. It is open to the petitioners to work out their remedy before the competent civil Court.

6. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

[N.S.K.,J.] [P.B.B.,J.]
15.04.2026

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

To

1. The Thasildar,
East Taluk Office,
Dindigul - 624 001.
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