



W.P.(MD) No.13457 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.13457 of 2023

A.Murugan

... Petitioner

Vs

1. The District Collector,
Tenkasi District,
Tenkasi.

2. The Special Tahsildar,
Aadi Dravidar and Tribal Welfare Department,
Tenkasi District.

3. The Panchayat President,
Sumaitheerndhapuram,
Vallam Village,
Senkottai,
Tenkasi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondent Nos.2 and 3 from interfering with the peaceful possession and enjoyment of the petitioner's land in Patta No.39 bearing S.No.54/8B to an extent of 3 cents situated at Plot No.39, Vallam Village, Senkottai Taluk, Tenkasi District.



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For Petitioner

: Mr.A.B.Jeeva

For Respondents

: Mrs.K.Malathi,
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to forbear respondent Nos.2 and 3 from interfering with the peaceful possession and enjoyment of the petitioner's land comprised in Patta No.39, S.No.54/8B, to an extent of 3 cents situated at Plot No.39, Vallam Village, Senkottai Taluk, Tenkasi District.

2. The learned counsel appearing for the petitioner would submit that the petitioner was originally allotted the subject property in the year 2000 and he has been in continuous possession and enjoyment of the said land for the past 23 years. However, the second respondent cancelled the said allotment on 23.02.2023, and thereafter, respondent Nos.2 and 3 have been disturbing the petitioner's peaceful possession.

3. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner has straightaway approached this Court without challenging the cancellation order dated 23.02.2023 passed by the second respondent. Therefore, the present writ petition is not maintainable.



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4. This Court finds considerable force in the submission made by the learned Additional Government Pleader. Once the allotment has been cancelled by the competent authority, the petitioner, without challenging the said cancellation order dated 23.02.2023 in the manner known to law, cannot seek a consequential relief of protection of possession. In the absence of challenge to the cancellation order, the present writ petition is not maintainable and such a relief cannot be granted by this Court.

5. Accordingly, this Writ Petition stands dismissed. No costs. Liberty is granted to the petitioner to challenge the cancellation order, if he is so advised.

06.01.2026

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
TSG
To

1. The District Collector,
Tenkasi District,
Tenkasi.
2. The Special Tahsildar,
Aadi Dravidar and Tribal Welfare Department,
Tenkasi District.



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3. The Panchayat President,
Sumaitheerndhapuram,
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KRISHNAN RAMASAMY, J.

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