



W.P.(MD)No.14199 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14199 of 2026

and

W.M.P(MD)No.10617 of 2026

B.Indurani

... Petitioner

Vs

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.
- 3.The Executive Engineer,
Public Works Department,
Construction and Maintenance,
Ramanathapuram District – 623 503.
- 4.The Assistant Engineer,
Public Works Department,
Construction and Maintenance,
Paramakudi Sub Division,
Paramakudi,
Ramanathapuram District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the Respondents from putting up construction in the petitioner land bearing S.No.60/2 measuring 9 acres 50 cents situated in Thavachikurichi Village, Kamuthi Taluk, Ramanathapuram District.

For Petitioner : Mr.P.T.S.Narendravasan
for M/s.V.V.Sathya

For Respondents : Mr.R.Parthiban
Government Standing Counsel

ORDER

This Writ Petition is filed for a mandamus forbearing the respondents from putting up construction in the petitioner's land bearing Survey No.60/2 measuring 9 acres and 50 cent, situated at Thavachikurichi Village, Kamuthi Taluk, Ramanathapuram District.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of this case, the case of the petitioner is that the land in question originally belonged to one Ukkirapandi Thevar. Thereafter, among the family members there were civil disputes. A suit was filed in OS No.82 of 1993 in which relief was granted. The matter was further went upon appeals in A.S.Nos.155 of 1997 and 154 of 1996 and ultimately the issue was settled in



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S.A.Nos.1549 of 2000 and 827 of 2002 before this Court. The schedule of property clearly mentions this property as also one of the items. Therefore, when already a decree of declaration has already been granted in favour of the petitioner and his predecessor-in-title, the Government, without initiating acquisition proceedings cannot suddenly enter into the land and start construction.

3.Per Contra, the learned Government Standing Counsel would submit that Survey No.60/2 is classified as “Sarkar Poramboke” in the revenue records. The A-Register, SLR copy and other relevant revenue records were produced before this Court in support of the said contention.

4.The learned counsel for the petitioner in reply would submit that the SLR itself reflects the name of Ukkirapandi Thevar and that the said entry appears to have been struck off subsequently. Thereafter, the property has been classified as “Annadheenam and Tharisu”.

5.The learned Government Standing Counsel would deny the same as they said the entries pertain to Survey No.60/4 and 60/2 and with reference to Survey No.60/2, it is clearly mentioned as “Government Poramboke” in the said register.

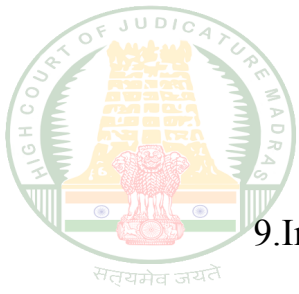


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6.I have considered the rival submissions made on either side and perused the material records of the case.

7.As far as the settlement register is concerned, there are entries, striking of the names, etc. But as far as the A-Register is concerned, the same is clean and clear whereby the Survey No.60/2 is mentioned as “Sarkar Poramboke”. A counter affidavit has also been filed on behalf of the respondents claiming that the property belongs to the Government. In view of the rival claims of title made by either side, this Court while exercising jurisdiction under Article 226 of the Constitution of India, cannot grant the relief to the petitioner.

8.If the petitioner is of the opinion that the property in Survey No.60/2 belongs to his family, it is open to him to approach the jurisdictional civil Court against the respondents and the parties will be ultimately be bound by the decree and such interim orders as granted by the civil Court. The respondents are directed to furnish copies of the SLR, A-Register and UDR register which is relied upon by the Government to claim rival title. Photocopies of the said records have already been furnished to the learned counsel for the petitioner in the open Court.



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9. In view of the aforesaid observations and liberties, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2026

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

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
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D.BHARATHA CHAKRAVARTHY, J.

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