



W.P.(MD)No.31600 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.06.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)Nos.31533 and 31600 of 2025

and

W.M.P.(MD)Nos.24698, 24700, 24771 and 24772 of 2025

W.P(MD)No.31533 of 2025:-

Vadivu

... Petitioner

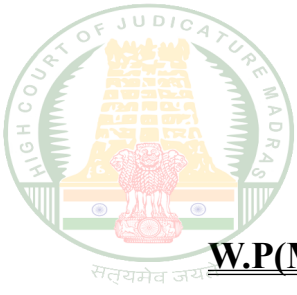
vs.

The Commissioner,
The Madurai City Municipal Corporation,
Anna Maligai, Thallakulam,
Madurai 625002

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the E-Auction / Tender Notification dated 23.10.2025 in A1/0014591/2025 proposed by the respondent and quash the same.

For Petitioner :Mr.A.A.Laxman Prakash
For Respondent :Mr.S.Vinayak



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W.P(MD)No.31600 of 2025:-

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1.Mohamed Ali
2.K.N.Akbar
3.N.Mohamed Iqbal
4.Pichaiammal
5.G.Kannan

... Petitioners

vs.

The Commissioner,
The Madurai City Municipal Corporation,
Anna Maligai, Thallakulam, Madurai-625002. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the E-Auction / Tender Notification dated 23.10.2025 in A1/0014591/2025 proposed by the respondent and quash the same.

For Petitioners :Mr.V.N.Arjun
For Respondent :Mr.S.Vinayak

COMMON ORDER

The petitioners challenge the E-Tender Auction/Tender Notification dated 23.10.2025 issued by the respondent Corporation inviting bids for leasing out agricultural lands vested with the Corporation.



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2.The petitioners claim to be cultivating tenants in respect of the lands comprised in Survey Nos.102/3, 111, 113/1, 113/5, 143/1, 144/3, 154A, 174/2, 221/2 and 251/2. According to them, without first evicting them by following the due process of law, the respondent Corporation cannot, under the guise of conducting a public auction, dispossess them from the said lands.

3.In W.P.(MD) No.31600 of 2025, the first petitioner further claims that his father was the cultivating tenant in respect of Survey Nos.144/3 and 162 and that he has succeeded to such tenancy rights.

4.Per contra, the learned counsel appearing for the respondent Corporation submitted that the petitioners have not produced any cogent material to establish either their status as cultivating tenants or their actual possession and cultivation of the lands in question. According to the respondent, the claim of cultivation raised by the petitioners is seriously disputed and involves disputed questions of fact which cannot be adjudicated in proceedings under Article 226 of the Constitution of India. It was further submitted that the petitioners have an effective



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alternative remedy before the competent statutory authorities.

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5.This Court finds that the core issue raised in these writ petitions is whether the petitioners are in possession and cultivation of the lands covered under the impugned auction notification and whether they possess any legally enforceable tenancy rights. Such questions necessarily require appreciation of evidence and adjudication of disputed facts, which cannot conveniently be undertaken in the exercise of writ jurisdiction under Article 226 of the Constitution of India.

6.The judgment relied upon by the learned counsel for the petitioners is clearly distinguishable on facts. In the said case, the concerned authority had admitted the petitioners' possession and cultivation of the lands in question. In the present case, the respondent Corporation specifically disputes the petitioners' claim of possession and cultivation, and no conclusive material has been placed before this Court to establish the same.



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7.In view of the above, this Court is not inclined to entertain the writ petitions. However, liberty is reserved to the petitioners to approach the competent statutory authorities for adjudication of their rights, including any claim of cultivating tenancy, and for protection of their possession, if they are otherwise entitled to such relief in law.

8.Accordingly, the writ petitions stand dismissed as not maintainable, with the aforesaid liberty. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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

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HEMANT CHANDANGOUDAR, J.

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