



WP(MD). No.2570 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 02/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

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Annakalanjiyam

... Petitioner

Vs

1. The District Collector,
Sivagangai, Sivagangai District..

2. The District Revenue Officer,,
Sivagangai, Sivagangai District..

3. The Revenue Divisional Officer,
Sivagangai, Sivagangai District..

4. The Tahsildar,,
Thiruppathur Taluk, Sivagangai District..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a writ of Mandamus directing the 4th respondent not to disturb the petitioner's possession and enjoyment over the land in S.No.15/12 situated in Sembur Village and Group, Thiruppuvanam Taluk, Sivagangai District by considering the objection of the petitioner dated 18.12.25 within the stipulated time fixed by this Court.



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For Petitioner : Mr.K.Chengizkhan
For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

The writ petition is filed for a mandamus to direct the 4th respondent not to disturb the petitioner's possession and enjoyment over the land in S.No.15/12 situated in Sembur Village and Group, Thiruppuvanam Taluk, Sivagangai District by considering the objection of the petitioner dated 18.12.25 within the stipulated time fixed by this Court.

2. By consent of both sides, the writ petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. The learned counsel for the petitioner would submit that after UDR survey, property description was changed as a channel and S.No. 15/2 is described as a channel. Prior to that, according to the petitioner,



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the land in question is 'Tharisu'. The petitioner's father purchased the said land from his vendor Nagamuthu Pillai. However, even after representation, the wrong classification as Vaikkal Tharisu was remained unchanged. Subsequently, after the death of the petitioner's father, the petitioner has become the owner of the property. When the respondents are making attempts to disturb the peaceful possession, the petitioner has preferred OS No.60/2017 on the file of the Principal District Munsif, Manamadurai, which came to be dismissed and subsequently challenging the said judgment, appeal suit in AS No.171/2019 was filed, which was also came to be dismissed on 31.01.2020, against which, the petitioner preferred a second appeal in SA No.390/2020 and the same is pending before this Court. However, the learned counsel would submit that the writ petition is filed for instant relief.

5. However, the learned Government Advocate would submit that having lost the case before two courts, second appeal is filed and the same is pending and an interim order has also been granted in the said second appeal.



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6. I have considered the said submissions and perused the materials available on record.

7. In view of the above, when the petitioner himself filed a suit and having lost the same, filed appeal suit, which was also ended against the petitioner, the petitioner has rightly preferred an appeal before this Court and the same is pending and an order of status quo was granted. At this juncture, the petitioner approached this Court by way of filing the present writ petition. When the petitioner has rightly filed civil suit before the court below, which was challenged subsequently in appeal suit and in second appeal, an interim relief has already been granted, the petitioner cannot file a writ petition praying for an instant relief. Therefore, this Court is not inclined to entertain this writ petition. Accordingly, the writ petition stands dismissed. No costs.

02.02.2026

NCC : Yes/No
Index : Yes/No
RR



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KRISHNAN RAMASAMY, J

RR

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