

WP(MD) No.20810 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Second day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Ms.Justice P.T.ASHA

WP(MD) No.20810 of 2024
and
WMP(MD) No.17636 of 2024

AYIRA VAISIYAR NAGAR PLOT OWNERS AND
RESIDENTS WELFARE ASSOCIATION, (REG.NO.170/23)
HAVING OFFICE AT
PLOT NO.10, AYIRA VAISIYAR NAGAR,
ALAGARKOVIL ROAD,
KATHAKINARU PANCHAYAT,
MADURAI - 625 104
THROUGH ITS SECRETARY,
MR.SIVASANKAR

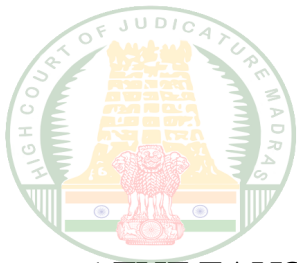
... PETITIONER

Vs

1 THE COMMISSIONER OF LAND REFORMS,
EZHILAGAM, CHEPAUK,
CHENNAI - 600005.

2 THE DISTRICT COLLECTOR
MADURAI DISTRICT, MADURAI

3 THE REVENUE DIVISIONAL OFFICER,
MADURAI EAST DIVISION,
MELUR TALUK, NARASINGAMPATTI,
MELUR, MADURAI



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4 THE TAHSILDAR
MADURAI EAST TALUK,
MADURAI DISTRICT.

5 KATHAKINARU PANCHAYAT
KATHAKINARU,
ALAGARKOVIL ROAD,
MADURAI - 104
THROUGH ITS PRESIDENT

... RESPONDENTS

(*)6 THIYAGARAJAN
S/O.NATARAJA PILLAI,
D.NO.58, VASUKI STREET,
ANNA CROSS STREET,
GANAPATHI NAGAR,
VILLAPURAM, MADURAI DISTRICT.

(*)(R6 IS SUO MOTU IMPLEADED VIDE COURT
ORDER DATED 02.09.2024 IN WP(MD).20810/2024 BY
PTAJ)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent in Na.Ka.No.A3/4813/2021 dated 11.07.2024, quash the same and direct the respondents 3 and 4 to restore the patta in the name of the members of the petitioner Association as it stood originally, within a time frame fixed by this Honourable Court.

Prayer in WMP(MD). 17636/ 2024 :

To pass an order of injunction restraining the respondents 1 to 5, their men, servants, agents or assignees from disturbing the possession and enjoyment of the members of the petitioner Association over the property in S.No.1/6A, 1/6B, 1/6C and 1/6D in Kathakinaru Village and Panchayat, Alagarkovil Road, Madurai till the disposal of this above writ petition.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of



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MR.VENKAT RAMANA, Senior Counsel for M/S.JANAKI DEVI.V, Advocate for the petitioner and of MR.B.SARAVANAN, Additional Government Pleader on behalf of the Respondent Nos.1 to 4 and MR.D.S.NEDUNCHEZIAN, Government Advocate on behalf of the 5th Respondent and MR.K.NAVANEETHARAJA, Advocate on behalf of the 6th Respondent, the court made the following order:-

Mr.Thiyagarajan, S/o.Nataraja Pillai, D.No.58, Vasuki Street, Anna Cross Street, Ganapathi Nagar, Villapuram, Madurai District is suo motu impleaded as 6th respondent by this Court.

2.Mr.B.Saravanan, learned Additional Government Pleader takes notice for the respondents 1 to 4, and Mr.D.S.Nedunchezian, learned Government Advocate takes notice for the 5th respondent and Mr.K.Navaneetharaja, learned counsel takes notice for the 6th respondent.

3.The learned counsel for the impleaded respondent and the learned Additional Government Pleader are directed to file counter stating as to how the proceedings to cancel the patta had been taken place.

4.From the documents which have been filed along with the typedset of papers, it is clear that the petitioner Association has been in uninterrupted possession of the property all these years from the date of their purchase. By reason of the impugned order, they are now sought to be dispossessed. Therefore, there shall be an order of interim injunction restraining the respondents 1 to 5, their men, servants, agents or assignees from disturbing the possession and enjoyment of the members of the



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petitioner Association over the property in S.No.1/6A, 1/6B, 1/6C and 1/6D in
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Kathakinaru Village and Panchayat, Alagarkovil Road, Madurai till 25.09.2024.

5.Post on 25.09.2024.

sd/-
02/09/2024

/ TRUE COPY /

/09/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE COMMISSIONER OF LAND REFORMS,
EZHILAGAM, CHEPAUK,
CHENNAI - 600005.

2 THE DISTRICT COLLECTOR
MADURAI DISTRICT, MADURAI

3 THE REVENUE DIVISIONAL OFFICER,
MADURAI EAST DIVISION,
MELUR TALUK, NARASINGAMPATTI,
MELUR, MADURAI

4 THE TAHSILDAR
MADURAI EAST TALUK,
MADURAI DISTRICT.

5 THE PRESIDENT
KATHAKINARU PANCHAYAT
KATHAKINARU,
ALAGARKOVIL ROAD,
MADURAI - 104.

+1 C.C. to M/S.V.JANAKI DEVI Advocate SR.No.10746[I] Dated 02/09/2024
<https://www.mhc.tn.gov.in/judis/>



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ORDER

IN

WP(MD) No.20810 of 2024

and

WMP(MD) No.17636 of 2024

Date :02/09/2024

RS/VR/SAR-(20.09.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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