



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP No. 11207 of 2023

1. S.Jayabharathi

2. S.Vijaya

..Petitioner(s)

Vs

1. The Principal secretary to Government
Revenue and Disaster management
Department, St. George Fort, Secretariat,
Chennai.
2. The Commissioner
Land Administration, Government of Tamil
Nadu, chepauk, Ezhilagam, Chennai- 600 005.
3. The District Collector
Chennai District, chennai- 600 001.
4. The Tahsildar
Mylapore Taluk, Chennai- 600 001.
5. The Tahsildar
Velacherry Taluk, Chennai.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of certiorarified mandamus calling for the records of the 2nd respondent dated 26.12.2022 made in Rc.No.F3/2877970/2022 and the consequential impugned notice of the 5th Respondent dated 09.03.2023 issued under Section 7 of Land Encroachment Act, 1905, and quash the same and consequently direct the 2nd Respondent to Grant Patta to the Petitioner's



property situate in Old Door No.11, New Door No.60, Venkatesa Agraharam Road, Mylapore, Chennai- 600 004, comprised in S.No. 3342/4, measuring in 892 Sq.ft.

For Petitioner(s):

Mr.B.Sandeep Harish
for Mr.Dhalapathy Vignesh Kumar

For Respondent(s):

Mr.T.Arun Kumar
Additional Government Pleader for R1-5

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'Act'), is under challenge in the present writ petition.

2. A show cause notice, per se, would not provide a cause for institution of writ proceedings. Petitioner is at liberty to submit his explanation along with the documents, if any, available to defend his case.

3. Learned Additional Government Pleader would submit that in view of the order of the writ court in W.P. No. 6530 of 2021, enforcement action shall be initiated for removal of encroachments.

4. That being the procedure contemplated under the Act, petitioner is at liberty to submit his representation to the competent authority, and on receipt of the explanation, if any, the competent authority shall consider the same,



and thereafter proceed with the enforcement action, if encroachments are identified by following the procedure as contemplated under the Act and Rules. The said exercise shall be completed within a period of 12 weeks from the date of receipt of copy of this order.

5. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.B.,J.)
30-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD

To

1. The Principal secretary to Government
Revenue and Disaster management
Department, St. George Fort, Secretariat,
Chennai.
2. The Commissioner
Land Administration, Government of Tamil
Nadu, chepauk, Ezhilagam, Chennai- 600 005.
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Mylapore Taluk, Chennai- 600 001.
5. The Tahsildar
Velacherry Taluk, Chennai.



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**S.M.SUBRAMANIAM, J.
AND
K.KUMARESH BABU, J.**

GD

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