



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P. No. 17426 of 2021

and W.M.P.Nos.18497, 18499 and 18500 of 2021

1. Dhanasekaran
S/o.Raja, Mattukaran Kottai, A.Jattihalli post,
Athiyamankottai village, Nallampalli Taluk,
Dharmapuri District
2. Sakthivel
S/o.Dhanasekaran, Mattukaran kottai,
A.Jattihalli post, athiyamankottai village,
Nallampalli Taluk, Dharmapuri District
3. Sagadevan
S/o.Raja, Mattukaran Kottai, A.Jattihalli post,
Athiyamankottai village, Nallampalli Taluk,
Dharmapuri District
4. Raman
S/o.Raja, Mattukaran kottai, A.Jattihalli post,
Athiyamankottai village, Nallampalli Taluk,
Dharmapuri District
5. Ramachandran
S/o.Raja, Mattukaran kottai, A.Jattihalli kottai,
A.Jattihalli post, Athiyamankottai village,
Nallampalli Taluk, Dharmapuri District



6. Lakshmanan
S/o.Raja, Mattukaran Kottai, A.Jattihalli post,
Athiyamankottai village, Nallampalli Taluk
Dharmapuri District

..Petitioner(s)

Vs

1. The State of TamilNadu
Rep by Principal Secretary, Revenue and Disaster
Management Department, Government of Tamilnadu,
Secretariat, Chennai-600 009
2. The Commissioner
Land Administration, Chepauk, Chennai-600 005
3. The District Collector
Dharmapuri District, Dharmapuri
4. The District Revenue Officer
Dharmapuri District, Dharmapuri
5. The Sub Collector
Revenue Divisional officer, Dharmapuri District,
Dharmapuri
6. The Tahsildar
Mallampalli Taluk, Nallampalli, Dharmapuri District
Dharmapuri
7. The Revenue Inspector
Nallampalli, Dharmapuri District
8. M.Govindaraj
S/o.Muniyan, Mattukaran kottai, A.Jattihalli post,
Athiyamankottai village, Nallampalli Taluk, Dharmapuri
District.



..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order made in Na.Ka.No.1145/ 2021 / A3 dated 30.6.2021 passed by the 6th respondent and consequential notice issued by the 7th respondent dated 10.7.2021 and quash the same consequently direct the respondents 3 to 7 to issue patta for their residential houses in s.No.343 situated at Athiyamankottai village, Nallampalli Taluk, Dharmapuri District in terms of Government order issued in G.O,Ms.No.318 Revenue and Disaster Management Department dated 30.08.2019.

For Petitioner(s): Mr. C. Karthikeyan
for Mr. K.Balu

For Respondent(s): Mr. T. Arunkumar
Additional Government Pleader for R1 to R7

Mr.R.Dhanasekar for R8

ORDER

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

The Writ Proceeding has been instituted challenging the proceedings of the Tahsildar, Mallampalli Taluk, in Na.Ka.No.1145/2021/A3, dated 30.06.2021.

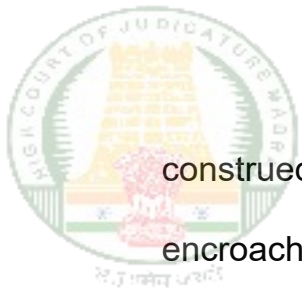
2. A perusal of the order impugned would show that the Revenue Authorities identified encroachments in grazing Government poramboke



lands. It is stated that persons belonging to the same family have encroached upon a larger extent of Government poramboke lands. Therefore, the Tahsildar issued notice under Section 7 and directed the Revenue Inspector to serve the notice and send a report, so as to continue the enforcement action as contemplated under the Tamil Nadu Land Encroachment Act, 1905.

3. Under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, the Revenue Inspector is also competent to initiate action for eviction of encroachers. However, the enforcement action has not been continued in view of the pendency of the present Writ Petition. The counter affidavit filed by the Tahsildar would show that the claim of the petitioners that they are in uninterrupted possession of the grazing poramboke land is incorrect. That apart, the petitioners, belonging to the same family, are bigwig landlords possessing huge volumes of land in their name and in the names of their parents from the time immemorial. It is further stated that the 1st petitioner and petitioner Nos.3 to 6 are siblings to each other and the sons of one Mr.Raja, who is politically influential person in Athiyamankottai Village of Dharmapuri District.

4. Be that as it may, the present impugned order issued by the Tahsildar directing the Revenue Inspector to serve Section 7 notice in pursuance of the orders of this Court dated 25.03.2021 in W.P.No.7718 of 2021 cannot be



construed as an infringement. Upon receipt of the Section 7 notice, the encroachers are at liberty to submit their explanation along with documents, if any, to defend their case. After considering the materials available on record, the competent Revenue Authority shall proceed with the enforcement action by issuing a final notice under Section 6. The aggrieved persons may thereafter prefer an appeal before the District Collector. This being the scheme under the Act, the present Writ Petition is premature and therefore, the same is not maintainable. The authorities may proceed with the enforcement action by following the procedures as contemplated under law.

5. With the above observations, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (K.S.,J.)

09-03-2026

Index : Yes

Asi



To

1. The State of TamilNadu
Rep by Principal Secretary, Revenue and
Disaster Management Department,
Government of Tamilnadu, Secretariat,
Chennai-600 009
2. The Commissioner
Land Administration, Chepauk, chennai-600
005
3. The District collector
Dharmapuri District, Dharmapuri
4. The District Revenue Officer
Dharmapuri District, Dharmapuri
5. The Sub Collector
Revenue Divisional officer, Dharmapuri District,
Dharmapuri
6. The Tahsildar
Mallampalli Taluk, Nallampalli, Dharmapuri
District,Dharmapuri
7. The Revenue Inspector
Nallampalli, Dharmapuri District
8. M.Govindaraj
S/o.Muniyan, Mattukaran kottai, A.Jattihalli
post, Athiyamankottai village, Nallampalli
Taluk, Dharmapuri District



WEB COPY

WP No. 17426 of 2



S.M.SUBRAMANIAM, J.

AND

K.SURENDER, J.

Asi

**W.P. No. 17426 of 2021
and W.M.P.Nos.18497, 18499 and 18500 of 2021**

09-03-2026