



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 20302 of 2024

AND

WMP No. 22232 of 2024 & WMP No. 39917 of 2025

P.Sekar

S/o Mr. Perumal No 72, Gengapuram 1st
Street Ambur Town Ambur Taluk Tirupattur
District

..Petitioner(s)

Vs

1. The District Collector
Tirupathur District Collector Office NH
179A, Tirupathur, Tamil Nadu 635 601
2. The Revenue Divisional Officer
Vaniyambadi Taluk, Tirupattur District
3. The Tahsildar
Ambur Taluk, Tirupattur District
4. The Commissioner
Ambur Municipality Ambur Taluk Tirupattur
District
5. The Additional Divisional Railway Manager
DRM Office Chenani Division Southern
Railway Chennai 600 003
6. Sarath Kumar
Govindapuram Vilalge Ambur Taluk ,
Tirupattur District

..Respondent(s)



Call for the records relating to impugned Notice No M/W 234 / Ench / AB - PCKM / 01 dated 24.06.2024, passed by the 5th respondent, and quash the same as illegal and without jurisdiction and to consequently direct the respondents to re-survey the lands comprised in survey No 8 part A, B and C and survey No 10 part at Ward / Block A6 between railway kms 178 / 350 178 / 450 between pachakuppam and Ambur Railway station ambur Taluk, Tirupattur District in presence of the petitioner within a time frame fixed by this Honble Court

WP No. 20302 of 2024

For Petitioner(s): Mr.Harshavarthan G

For Respondent(s): Mr.T.Arunkumar,
Addl.G.P. for r1 to R3
Mr.B.Rabu Manohar,
SCGC For R5
Mr.M.Marimuthu, for R6

Order

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

The notice issued under Section 5(1) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 dated 24.06.2024, is under challenge in the present writ petition.

2. The Estate Officer, Railways, issued notice by invoking the powers conferred on him under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. The notice would indicate that the petitioner has encroached upon the properties belonging to the



Railways.

3. Learned Standing Counsel for the Railways would submit that a joint survey was conducted and encroachments are identified and the petitioner, by encroaching upon the railway property, is using the same for commercial purpose. Thus, action has been initiated to evict the petitioner.

4. Learned counsel for the petitioner would submit that a fresh survey is to be conducted, since he owns land in T.S.No.9. He admits that T.S.Nos.8 and 10 belongs to Railways Department.

5. If at all the petitioner claims title or ownership in respect of any portion of the land, the authorities have to issue notice in respect of his own land and he has to approach the competent civil court of law to establish his title or ownership. However, the Division Bench of this Court, on earlier occasion, passed an order on 31.07.2024 in W.P.No.19086 of 2024, to commence the enforcement action for eviction of encroachment.

6. Be that as it may, the Estate Officer issued statutory show cause notice under the provisions of the Public Premises (Eviction of



Unauthorized Occupants) Act, and thus, the petitioner is at liberty to submit his explanation, if any, within a period of 10 days from today and on receipt of any such representation, the same shall be considered and a final decision shall be taken by following the procedures as contemplated under the Act. Thereafter, the encroachers shall be evicted in the manner known to law.

7. With the above direction, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (K.S.,J.)
11-03-2026

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

VSI
To

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Tirupathur District Collector Office Nh 179a,
Tirupathur, Tamil Nadu 635 601
2. The Revenue Divisional Officer
Vaniyambadi Taluk, Tirupattur District
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Ambur Municipality Ambur Taluk Tirupattur
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Drm Office Chenani Division Southern
Railway Chennai 600 003



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**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

VSI

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