



W.P(MD)No.17710 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.06.2026

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THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P(MD)No.17710 of 2026

and

WMP(MD)Nos.13106 and 13107 of 2026

John Chidambaram

... Petitioner

Vs.

1. The District Collector / Monitoring Committee,
Trichy District.

2. The Tahsildar,
Thiruverumbur Taluk,
Trichy District.

3. The Revenue Inspector,
Thiruverumbur Taluk,
Trichy District.

4. The President,
Village Panchayat,
Thiruverumbur Taluk,
Trichy District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the order passed by 3rd respondent under Section 7 of Land Encroachment Act 1905 dated 15.06.2026 and quash the same.



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For Petitioner : Mr.T.S.Mohammed Mohideen
For Respondents : Mr.M.S.Parthiban, Counsel for State

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ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the notice issued under Section 7 of the Tamilnadu Land Encroachment Act 1905, the petitioner has filed this writ petition.

2. According to the petitioner, the said notice has been issued pursuant to the direction issued by this Court in W.P(MD)No.19742 of 2019, wherein, one Chandran has sought to remove the encroachment made by the petitioner herein and two others in Survey Nos.300-1 and 299/46 at Narikkuravar Colony, Thevarayaneri, Thirunedungulam Village, Thiruverumbur Taluk, Trichy District.

3. Learned counsel for the petitioner would submit that the petitioner is residing in natham land. Though this Court in the said writ petition has directed to remove the encroachment by due process of law, notice has been issued only for Survey Nos.300-1, whereas, in respect of Survey No.299/46, notice has not been issued. Learned counsel would further submit that the petitioner is having a prayer hall in the subject survey number and patta has also been issued for the same. Further, the writ petitioner in W.P(MD)No.19742 of 2019, namely, Chandran is also an encroacher and his portion of occupation has not been



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surveyed properly. Hence, as long as the petitioner is granted patta especially under natham scheme, the provisions of Tamilnadu Land Encroachment Act 1905, cannot be invoked.

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4. Be that as it may, we are of the view that since the impugned notice is only a show cause notice issued under Section 7 of the Act, let the petitioner give proper explanation to the same detailing the nature of the patta issued to him and produce all the relevant documents. If patta has been issued under natham scheme and the petitioner is in occupation, the same can be taken note of by the authorities. Once the land in question is found to be classified as natham, then the authorities shall not invoke the provisions of Tamilnadu Land Encroachment Act 1905 as held by the Full Bench of this Court in ***Kaman @ Kamatchi (Died), Nallasivam vs. The District Collector, Dindigul and others*** reported in ***2026-1-Writ Law Reporter 321***. However, it is for the authorities to survey the entire survey number in question and find out whether the so-called place which is said to have been encroached upon by the petitioner, falls within the natham patta granted to him and proceed further. We make it clear that without passing any order under Section 6 of the Act, there shall not be any coercive action. The entire exercise including survey shall be undertaken by the authorities and final order shall be passed within a period of two months from the date of receipt of a copy of this order.



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5. With the above direction, the Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

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[N.S.K., J.] & [M.J.R., J.]
24.06.2026

Index : Yes / No
Neutral Citation : Yes / No
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ORDER MADE IN
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