

WP(MD)No.19743 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.07.2026

CORAM

**THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN
AND
THE HON'BLE MR JUSTICE R.SAKTHIVEL**

**WP(MD) Nos.19743 of 2026 and 766 of 2026
WMP(MD) No.14589 of 2026**

WP(MD) No.19743/2026

Rajeswari W/o.Shanmugam,
Thenkarai Village, Athigaram Post,
Natchiyapuram Via, Thiruppathur Taluk,
Sivagangai District.

... Petitioner

- Vs. -

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1. The Tahsildar Thiruppathur Taluk,
Sivagangai District.
2. The Zonal Deputy Tahsildar Thiruppathur Taluk,
Sivagangai District.
3. M.K.Abdul Salam S/o.S.Mohammed Kasim,
Thenkarai Village, Athigaram Post,
Thiruppathur Taluk,
Sivagangai District.

... Respondents

Prayer in WP(MD). 19743/ 2026 :Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari call for the records of the impugned order dated 29.06.2026 passed under



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section 6 of Tamil Nadu Land Encroachment Act, 1905 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.Vinoharan
For Respondents : Mr.M.P.Senthil for R1 and R2
Counsel for State

WP(MD) No.766 of 2026

M.K.Abdul Salam S/o. Mohamed Kasim,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District-630207.

... Petitioner(s) in WP(MD). 766/ 2026

- Vs. -

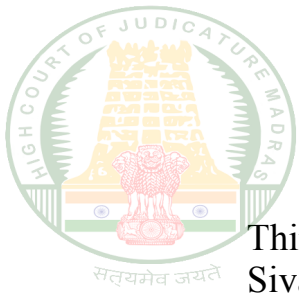
1. The District Collector/ Monitoring Committee, Sivagangai District, Sivagangai.
2. The District Revenue Officer Sivagangai, Sivagangai District.
3. The Revenue Divisional Officer, Devakottai, Sivagangai District.
4. The Tahsildar Thirupathur, Thirupathur Taluk, Sivagangai District.
5. M.Sivagnanam S/o. Manickam, T.T.Nagar, Church 5 Th Street, Karaikudi, Karaikudi Taluk, Sivagangai District.
6. C.Padiyan S/o.Chinnaiah, Tenkarai, Athikaram Post,



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Thirupathur Taluk,
Sivagangai District.

7. S.Thiyagarajan S/o.Saminathan,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.
8. Kr.Mathivanan S/o.Karuppaiah,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.
9. Vadivelu S/o.Chinnaiah,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.
10. Azhagendra Boopathy S/o.Kr.Shanmugam,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.
11. K.Pandi S/o.Kuppu,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.
12. Kr.Asaithambi S/o.Karuppaiah,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.
13. M.Shanmugam S/o.Muthiah,
Tenkarai,
Athikaram Post,



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Thirupathur Taluk,
Sivagangai District.

14. M.Rajeshwari W/o.Manoharan,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.

15. Kr.Shanmugam S/o.Karuppaiah,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.

16. N.Pushpam W/o.Nagalingam,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.

17. S.Sami S/o.Seenivasan,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.

18. S.Tamilmaran S/o.Somaiah,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.

19. Mathivanan S/o.Karuppaiah,
Tenkarai,
Athikaram Post,
Thirupathur Taluk,
Sivagangai District.

... Respondent(s) in WP(MD). 766/ 2026



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Prayer in WP(MD). 766/ 2026 :Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS to direct the Respondents 1 to 4 to remove the encroachment made by the Respondents 6 to 19 in the property comprised in Survey No. 220/1 situated at Tenkarai Village, Thirupathur Taluk, Sivagangai District, within the stipulated time fixed by this Court.

For Petitioner : Mr.M.Mohammed Zamil for
M/s.Ajmal Associates
For Respondents : Mr.M.P.Senthil for R1 to R4
Counsel for State

COMMON ORDER

(Order of the Court was made by C.V.KARTHIKEYAN, J.)

Both these writ petitions relating to a very same property in S.No. 220/1 at Thenkarai Village, Tirupathur Taluk, Sivagangai District.

2. WP (MD) No.766 of 2026 had been filed in the nature of mandamus seeking direction against the respondents to remove the



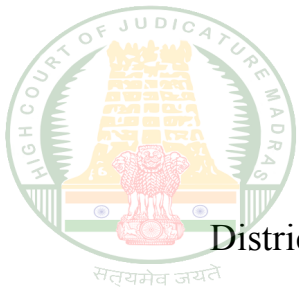
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encroachment put up allegedly by the respondents 6 to 19 in the said property.

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3. WP (MD) No.19743 of 2026 had been filed seeking to interfere with the order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 dated 29.06.2026.

4. When WP(MD) No.19743 of 2026 came up for consideration before this Court on 10.07.2026, primary focus was the allegation raised that even without giving proper opportunity to file an appeal before the District Collector as envisaged under Section 10 of the said Act, the electricity connection of the writ petitioner had been severed. We had directed restoration of the electricity connection. It is informed that the electricity service connection had now been restored. It is also informed that the petitioner has filed an appeal before the District collector under Section 10 of the said Act. Even in the order dated 10.07.2026, we had extracted Section 10-B, which provides for stay to be granted by the District Collector on appreciation of facts. There cannot be two separate authorities examining the same issue of granting stay. It is the prerogative of the



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District Collector, to address all issues raised in the appeal.

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5. Recording as above and with a direction that the appeal should be disposed of within a period of four weeks from the date of receipt of a copy of this order, both the writ petitions stand disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

(C.V.K.,J.) (R.S.V,J.)
21.07.2026

RR

To

1. The District Collector/ Monitoring Committee, Sivagangai District, Sivagangai.
2. The District Revenue Officer Sivagangai, Sivagangai District.
3. The Revenue Divisional Officer, Devakottai, Sivagangai District.
4. The Tahsildar Thirupathur, Thirupathur Taluk, Sivagangai District.
5. The Zonal Deputy Tahsildar Thiruppathur Taluk, Sivagangai District.



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C.V.KARTHIKEYAN, J

AND

R.SAKTHIVEL, J.

RR

WP(MD) Nos.19743 of 2026 and 766 of 2026

27.07.2026