



WP(MD)No.20946 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.07.2026

CORAM

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

**WP(MD) No.20947 of 2026
and WMP(MD) Nos.15567 to 15568 of 2026**

Kaliammal

... Petitioner

- Vs. -

1. The District Collector
Collectorate, Pudukottai District.

2. The Revenue Divisional Officer,
Aranthangi Division, Pudukottai District.

3. The Tahsildar
Avudaiyarkovil Taluk
Pudukottai District.

4. The Revenue Inspector
Avudaiyarkovil Firka
Avudaiyarkovil
Pudukottai District.

... Respondents



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Prayer :Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice dated 27.01.2026 issued by the 4th respondent in respect of the land measuring 00.08.70 hectares in Survey No. 80/1, Koodalur Vilalge, Avudaiyarkovil Taluk, Pudukottai District and quash the same and consequently direct the respondents to consider the petitioner's claim for regularisation and assignment of patta within a time frame to be fixed by this Court.

For Petitioner : Mr.B.Micheal Sebastin
For Respondents : Mr.S.I.Muthiah
Counsel for State

ORDER

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

The writ petition had been filed in the nature of Certiorarified Mandamus seeking records relating to notice purportedly issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') on 27.01.2026 by the 4th respondent, who is the Revenue Inspector (Firka), Avudaiyar Koil, Pudukottai District with respect to the land measuring 00.08.70 hectares in S.No.80/1 Koodalur Village, Avudaiyar Koil Taluk, Pudukottai District and to quash the same.



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2. The main contention raised by the learned counsel for the petitioner is that the said notice was issued by the Revenue Inspector and it is not clearly stated that he had been authorized by the Tahsildar. In this connection, the learned counsel placed reliance on a similar order passed in WP(MD) No.18546 of 2026, wherein, by order dated 06.07.2026, with respect to the very same survey number, this Court had quashed the notice since it had been issued by the Revenue Inspector. The learned counsel contends that the petitioner herein shall also be the beneficiary of the same order. We agree with the learned counsel.

3. The notice impugned stands quashed. However, it is not known why the Tahsildar at Avudaiyarkoil has not taken the responsibility of issuing notice as envisaged under the provisions of the Act and particularly notices under Sections 7 and 6 of the Act, even if the Revenue Inspector is named in the provision, there should be specific authorisation given for the Revenue Inspector to have the authority to issue such notice. Successive writ petitions with respect to the same survey numbers are therefore being filed only because of the dereliction of duty by the Tahsildar, owing to misinterpretation of the provision. We are informed that Thiru R.Sivakumar



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is the Tahsildar, Avudaiyarkoil as on date. This information has been given by Thiru.D.Azhagiya Subramaniya Raja, Senior Revenue Inspector, Avudaiyarkoil, who had come over to Court to instruct the learned Government Advocate.

4. We would therefore direct the District Collector, Pudukottai District to ensure that the Tahsildar, Avudaiyarkoil issues notice taking responsibility for issuance of such notice under Section 7 of the Act. The Tahsildar should realise that when there is a notice issued seeking to evict any individual from alleged encroached land, it should be in its proper form and should adhere to the conditions stipulated under the said provisions. He cannot delegate such work without properly issuing such order of delegation or obtaining orders from the Government for such delegation.

5. The writ petition stands allowed only to the extent of notice issued under Section 7 of the Act. We are not inclined to grant any other relief with respect to regularisation, which is a separate proceeding, which has to be addressed in a separate writ petition. Let a copy of this order be specifically marked to the District Collector to ensure compliance of



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issuance of notice required under Section 7 of the Act. No costs.

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(C.V.K.,J.) (R.S.V,J.)
23.07.2026

RR

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