



W.P(MD)No.22939 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

**W.P(MD)No.22939 of 2026
and
W.M.P(MD)Nos.17092, 17094 & 17095 of 2026**

1.Stephen
2.Patrick

... Petitioners

vs.

1.The District Collector,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram District.

3.The Tahsildar,
Rameswaram Taluk, Ramanathapuram District.

4.The Block Development Officer,
Mandapam Panchayat Union,
Ramanathapuram District.

5.The President,
Pamban Village Panchayat,
Mandapam Panchayat Union,
Ramanathapuram District.

1/6



WEB C 6.E.Raja John

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... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for records pertaining the impugned notice dated 29.07.2026 in Na.Ka.A3/1278/2025 issued by the third respondent and quash the same and consequently direct the respondents not to dispossess or disturb the peaceful possession of the petitioners over the subject property in Survey No.1086/7 measuring 1.5 cents situated in Pamban Village, Rameswaram Taluk, Ramanathapuram District except under due process of law.

For Petitioners : Mr.R.Raja

For Respondents : Mr.M.Mahaboob Athiff (R1 to R3)
Special Government Pleader

: Mr.M.S.Parthiban (R4 & R5)
Government Advocate

ORDER

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

W.M.P(MD)No.17092 of 2026 filed seeking permission to file a single Writ Petition is ordered.

2.This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned



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notice dated 29.07.2026 in Na.Ka.A3/1278/2025 issued by the third respondent, quash the same and consequently direct the respondents not to dispossess or otherwise disturb the peaceful possession and enjoyment of the petitioners over the subject property comprised in Survey No.1086/7, measuring an extent of 1.5 cents, situated at Pamban Village, Rameswaram Taluk, Ramanathapuram District, except by following due process of law.

3.The learned counsel appearing for the petitioners would submit that the third respondent, without issuing a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, has proceeded to issue the impugned notice under Section 6 of the said Act.

4.The learned Special Government Pleader appearing for the respondents 1 to 3, on instructions, would submit that a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, has already been issued to the petitioners and the same has been duly received by them.



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5.In view of the above submission, the learned counsel appearing for the petitioners would submit that, insofar as the impugned order passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, is concerned, an effective alternative remedy of appeal is available to the petitioners under Section 10 of the said Act.

6.In such view of the matter, without expressing any opinion on the merits of the case, we grant liberty to the petitioners to avail the alternative remedy by filing an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, within a period of two weeks from the date of receipt of a copy of this order.

7.On such appeal being filed, the competent appellate authority shall take the same on file, consider the same on merits and in accordance with law, and pass appropriate orders after affording due opportunity of hearing to all the concerned parties. Such exercise shall be completed within a period of six weeks from the date of receipt of the appeal.



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8. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, W.M.P(MD)Nos.17094 & 17095 of 2026 are closed.

[M.D.I.,J.] & [N.D.K.,J.]
11.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

1.The District Collector,
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2.The Revenue Divisional Officer,
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M.DHANDAPANI, J.
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