



W.P.Nos.17994, 16242 of 2023 and 5446 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.Nos.17994, 16242 of 2023 and 5446 of 2020

W.P.Nos.17994 and 16242 of 2023:

P.Karthi

.. Petitioner in  
W.P.No.17994/2023

K.R.Karuppaiyan @ Karupanna Gounder

.. Petitioner in  
W.P.No.16242/2023

Vs

- 1.The District Collector,  
Erode District, Erode-11.
- 2.The District Revenue Officer,  
Erode District, Erode-11.
- 3.The Revenue Divisional Officer,  
Erode Division, Erode-2.
- 4.The Revenue Tahsildar,  
Kodumudi Taluk,  
Kodumudi, Erode District-638 151.



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5.The Revenue Inspector,  
Kelambadi Firka,  
Kodumudi Taluk, Erode District-638 154.

6.The Village Administrative Officer,  
Kolathupalayam Village,  
Kodumudi Taluk, Erode District-638 152.

7.M.Valarmathi

8.M.Subramani

9.R.Murugesan

10.M.Senthilkumar

.. Respondents  
in both WPs

W.P.No.5446 of 2020:

1.K.R.Karupanna Gounder @ Karuppaiyan

2.K.Subramani

3.M.Chinnasami

4.P.Karthick

5.K.Chidambaram

6.M.Thangavel

.. Petitioners

Vs

1.The District Revenue Officer,  
Erode District, Erode.

2.The Revenue Divisional Officer,  
Erode Division, Erode.

3.The Revenue Tahsildar,  
Kodumudi Taluk,  
Kodumudi, Erode District.

4.The Revenue Inspector,  
Kelambadi Circle,  
Kodumudi Taluk, Erode District.



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5.The Village Administrative Officer,  
Kolathupalayam, A-Village,  
Kodumudi Taluk, Erode District.

6.The Village Administrative Officer,  
Kolathupalayam, B-Village,  
Kodumudi Taluk, Erode District.

7.P.Mahalingam

8.M.Subramani

9.R.Murugesan

10.M.Senthilkumar

.. Respondents

Prayer: W.P.No.17994 of 2023 filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records on the file of the fourth respondent impugned notice dated 23.5.2023 and quash the same in respect of S.No.160/1, Kolathupalayam Village, Kodumudi Taluk, Erode District and consequently direct the respondents 1 to 6 to mark the petitioner well in the revenue records as per the patta entry.

W.P.No.16242 of 2023 filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records on the file of the fifth respondent impugned notice dated 2.5.2023 and quash the same in respect of S.No.160/1, Kolathupalayam Village, Kodumudi Taluk, Erode District and consequently direct the respondents 1 to 6 to mark the petitioner well in the revenue records as per the patta entry.

W.P.No.5446 of 2020 filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records on the file of the third respondent order in Na.Ka.No.2678/2018/A1 dated 31.10.2018 consequential order passed by the second respondent order in Na.Ka.No.6367/2018/A1 dated 18.7.2019 and consequential order passed by the first respondent in Na.Ka.No.28087/2019/Oo1 dated 29.11.2019 and quash the same and further direct the respondents 1 to 6 to restore



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the petitioners patta land in S.Nos.160/1 and 155/1,  
Kolathupalayam Village.

For the Petitioners : Mr.K.Karthikeyan

For the Respondents : Mr.P.Muthukumar  
State Government Pleader  
assisted by  
Mrs.R.Anitha  
Spl. Government Pleader  
for respondents 1 to 6  
(in all three WPs)

: Mr.V.S.Kesavan  
for respondents 7 to 10  
(in WP No.5446 of 2020)

COMMON ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.K.Karthikeyan, learned counsel for the petitioners; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 6 and, Mr.V.S.Kesavan, learned counsel for respondents 7 to 10 in W.P.No.5446 of 2020.



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2. The petitioners are challenging the order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (for short, "*the said Act*") on the ground that proper procedure is not followed.

3. The petitioners have remedy under Section 10 of the said Act by filing an appeal. The petitioners may avail the said remedy as is permissible. In that event, all contentions are kept open.

4. The writ petitions are disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.6380, 6381, 15635, 15636, 17149 and 17150 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

27.06.2023

Index : Yes/No  
Neutral Citation : Yes/No  
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To

WEB COPY

- 1.The District Collector,  
Erode District, Erode-11.
- 2.The District Revenue Officer,  
Erode District, Erode.
- 3.The Revenue Divisional Officer,  
Erode Division, Erode.
- 4.The Revenue Tahsildar,  
Kodumudi Taluk,  
Kodumudi, Erode District.
- 5.The Revenue Inspector,  
Kelambadi Circle,  
Kodumudi Taluk, Erode District.
- 6.The Village Administrative Officer,  
Kolathupalayam, A-Village,  
Kodumudi Taluk, Erode District.
- 7.The Village Administrative Officer,  
Kolathupalayam, B-Village,  
Kodumudi Taluk, Erode District.



WEB COPY



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THE HON'BLE CHIEF JUSTICE  
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