



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025
and

W.M.P. Nos.4810, 4811, 4819, 4820, 4832, 4833, 4836, 4837, 4843,
4844, 4847 and 4848 of 2025

Ramasamy	Petitioner in WP No.4298 of 2025
Ampayeram	Petitioner in WP No.4310 of 2025
Palanivel	Petitioner in WP No.4317 of 2025
Palaniammal	Petitioner in WP No.4323 of 2025
Muthusamy	Petitioner in WP No.4328 of 2025
Rajendran	Petitioner in WP No.4330 of 2025

vs.

1. The Tahsildar
Ariyalur Taluk
Ariyalur District

2. The Revenue Inspector
Ariyalur
Ariyalur District

Respondents in all WPs

Prayer in W.P.No.4298 of 2025:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned notice dated 22.01.2025 issued by the second respondent and quash the same as illegal and unconstitutional



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

and consequently, restraining the respondents from disturbing the petitioner's peaceful possession and enjoyment in the residential house classified as Grama Natham comprised in Natham S.No.778/10, Old S.No.405/2 situated at No.100 South Street, Govindapuram Village in Ariyalur Taluk and District.

Prayer in W.P.No.4310 of 2025:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned notice dated 22.01.2025 issued by the second respondent and quash the same as illegal and unconstitutional and consequently, restraining the respondents from disturbing the petitioner's peaceful possession and enjoyment in the residential house classified as Grama Natham comprised in Natham S.No.776/12, Old S.No.405/2 situated at No.101 South Street, Govindapuram Village in Ariyalur Taluk and District.

Prayer in W.P.No.4317 of 2025:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned notice dated 22.01.2025 issued by the second respondent and quash the same as illegal and unconstitutional and consequently, restraining the respondents from disturbing the petitioner's peaceful possession and enjoyment in the residential house classified as Grama Natham comprised in Natham S.No.779/13



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

measuring to an extent of 1.60 ares situated at South Street, Govindapuram Village in Ariyalur Taluk and District.

Prayer in W.P.No.4323 of 2025:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned notice dated 22.01.2025 issued by the second respondent and quash the same as illegal and unconstitutional and consequently, restraining the respondents from disturbing the petitioner's peaceful possession and enjoyment in the residential house classified as Grama Natham comprised in Natham S.No.776/10, Old S.No.405/2 situated at No.95 South Street, Govindapuram Village in Ariyalur Taluk and District.

Prayer in W.P.No.4328 of 2025:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned notice dated 22.01.2025 issued by the second respondent and quash the same as illegal and unconstitutional and consequently, restraining the respondents from disturbing the petitioner's peaceful possession and enjoyment in the residential house classified as Grama Natham comprised in Natham S.No.778/9, in Old S.No.405/2 situated at No.102 South Street, Govindapuram Village in Ariyalur Taluk and District.



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

Prayer in W.P.No.4330 of 2025:

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned notice dated 22.01.2025 issued by the second respondent and quash the same as illegal and unconstitutional and consequently, restraining the respondents from disturbing the petitioner's peaceful possession and enjoyment in the residential house measuring to an extent of 835 sq. ft. classified as Grama Natham comprised in Old S.No.405/2 situated at No.101/1, South Street, Govindapuram Village in Ariyalur Taluk and District.

For petitioners
in all WPs

Mr. A.V. Raja

COMMON ORDER

[made by M.SUNDAR, J.]

After some arguments, Mr. A.V. Raja, learned counsel on record for writ petitioners, sought leave of this Court to withdraw the captioned main 'writ petitions' (hereinafter 'WPs' for the sake of brevity) and captioned writ miscellaneous petitions (hereinafter 'WMPs' for the sake of brevity) thereat but made a plea to preserve all the rights/liberty of the writ petitioners to respond to the impugned



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

notices which are made under Section 7 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' (for brevity 'said 1905 Act'), saying so, learned counsel has made endorsements in the case files and scanned reproduction of the same are as follows:

Endorsement in W.P.No.4298 of 2025:

The petitioners is
permitted to withdraw
the writ petition
and wraps. with liberty
to give Reply to the
Respondent. by
N.P.
A. J. PERIA
12/2/2025



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

Endorsement in W.P.No.4310 of 2025:

The petition is
permitted to withdraw
take up at WMPs
after liberty to
give Reply to the
Respondent

✓ Per
CJ H pen.
12/2/2025



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

Endorsement in W.P.No.4317 of 2025:

The provision
is directed to
withdraw the
court decision
on WMPs
with liberty to
file Reply
to the Request

by
W.P. No. 4317
12/12/2025



WEB COPY



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

Endorsement in W.P.No.4323 of 2025:

The writ Petition
is granted to
withholden the
W/O and W/MPS
with liberty to
appeal Reay
to the Respondents

✓
V. Pr
12/2/2025



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

Endorsement in W.P.No.4328 of 2025:

The writ petition
is permitted to
withdraw the
copy and wmp
and liberty to
give reply to
the Respondent

2. Per
CJ to P. S. H.
12/12/2024



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

Endorsement in W.P.No.4330 of 2025:

The petition is
permitted to
withdraw from
Cwp on WMPs.
with liberty
to file Reply
to the Response

V. P. R.
Ct. for Petn's
12/12/25



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

2. This Court has repeatedly held that said 1905 Act is a self contained Code. The reason *inter alia* is that there is a provision to have the alleged encroacher show caused under Section 7 of said 1905 Act followed by an order (considering the cause shown). The order under Section 6 is appealable under Section 10 (District Collector is the appellate authority) and there is a provision for further revision to the Government under Section 10-A (Section 10-A(3) to be precise) of said 1905 Act. Pending appeal / revision, there is a provision for making interim prayer *vide* Section 10-B of said 1905 Act. Therefore, said 1905 Act is a self contained Code in every sense of the expression.

3. In the light of the above position, request of the learned counsel for writ petitioners seeking leave of this Court to withdraw the captioned WPs and captioned WMPs thereat, with preservation of rights/liberty to respond to the impugned notices (subject to time lines, of course), is acceded to.



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

WEB COPY

4. Captioned WPs and captioned WMPs thereat are disposed of as withdrawn/closed albeit with preservation of rights/liberty in the aforesaid manner. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
12.02.2025

cad
Index : Yes/No
NC : Yes/No



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

To

WEB COPY

1. The District Collector
Thiruvallur District
Thiruvallur – 601 201
2. The Tahsildar
Gummidipoondi Taluk Office
Gummidipoondi - 601 201
Thiruvallur District
3. The Revenue Inspector
Elavur Firka
Gummidipoondi Taluk
Thiruvallur District



WEB COPY



W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

M.SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

cad

Common order in
W.P. Nos.4298,4310,4317,4323,4328 and 4330 of 2025

12.02.2025