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CRP(PD).No.1434 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.(PD).No.1434 of 2025

1.Nachammal
2.Subbulakshmi
3.Samiyappan
4.Chenniappan
5.Ramasamy

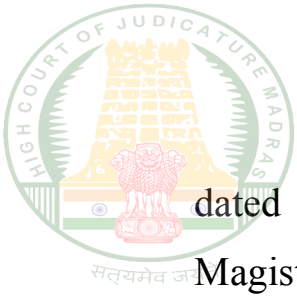
... Petitioners

Vs.

1.Somasundaram
2.Vijayalakshmi
3.The District Collector
Tiruppur
4.The Tahsildar
Uthukuli Taluk
Uthukuli

... Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order dated 03.03.2025 made in unnumbered OS filing No.14 of 2025 and direct the Trial Court to number the unnumbered original suit filed by the revision petitioners



dated 24.02.2025 on the file of the District Munsif cum Judicial
Magistrate, Uthukuli.

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For Petitioner : M/s.C.Munusamy

ORDER

Challenging the rejection of their suit at the registration stage by the District Munsif, Cum Judicial Magistrate, Uthukuli, the plaintiffs are the petitioners before this Court.

2. The plaintiffs had filed the suit in filing No.14 of 2025 seeking a declaration that the eviction notice dated 27.01.2025 issued by the 4th defendant, namely, the Tahsildar, Uthukuli under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (herein after referred to as the 'Act') is illegal and not binding on them and for a permanent injunction restraining the defendants from interfering with their peaceful possession and enjoyment of the suit property.

3. The learned District Munsif cum Judicial Magistrate, Uthukuli has rejected the plaint on account of the specific bar contained under Section 14 of the Act. Challenging the same the



petitioners are before this Court.

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4. Heard the counsel for the petitioners and perused the records.

5. It would be apposite to extract the provisions of Section 14 of the Act.

“Section 14 :-Bar of jurisdiction of Courts.

-Notwithstanding anything contained in any law for the time being in force, no order passed or proceeding taken by any officer or authority or the State Government under this Act shall be called in question in any Court, in any suit or application and no injunction shall be granted by any Court in respect of any action taken or to be taken by such officer or authority or the State Government in pursuance of any power conferred by or under this Act.”

6. A reading of the above Section which opens with a non obstante clause clearly spells out that any order or proceedings taken by authorities under the Act cannot be called in question before a Civil Court and no injunction can be granted against any action proposed to



be taken under the Act.

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7. A mere reading of the reliefs sought for in the plaint would clearly show that the 1st relief is to declare the action taken by the authority under the Act as null and void and the 2nd relief that is sought for is for an injunction restraining the defendants from proceeding to take action. The same squarely falls within the bar under Section 14 of the Act and therefore, the order passed by the District Munsif cum Judicial Magistrate, Uthukuli does not suffer from any infirmity.

8. Accordingly, the Civil Revision Petition stands dismissed. No costs. It is needless to state that it is open to the petitioners to initiate any proceedings available to them under the law.

08.04.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The District Munsif cum Judicial Magistrate, Uthukuli.



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2.The District Collector
Tiruppur

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3.The Tahsildar
Uthukuli Taluk
Uthukuli

P.T. ASHA. J.,



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