



W.P.No.16120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No.16120 of 2025

&

W.M.P No.18250 of 2025

1. Velu
S/o.Late Kannappapillai
2. Mani
S/o.Chinnappa
3. Parthiban
S/o.Subramani
4. Meganathan
S/o.Ganapathy
5. Baskaran
S/o.Pachapillai
6. Girija
W/o.Janarthan
7. Rani
W/o.Rathinam

... Petitioners

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VS.

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1. The Commissioner of Land Administration
Chepauk, Chennai – 600 005
 2. The Principal Secretary and Commissioner
Survey and Settlement Department
Chepauk, Chennai – 600 005
 3. The District Collector
Ranipet District
 4. The Tahsildhar
Sholinghur Taluk
Sholinghur Ranipet District
 5. Panchayat Executive Officer and
Village President
Banavaram Panchayat
Banavaram Village & Post
Sholinghur Taluk, Ranipet District – 632 505
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus by calling for records relating to the fifth respondent herein Panchayat Executive Officer and Village President, the impugned show cause notice dated 21.02.2025, 19.04.2025 and quash the same and consequently direct the first respondent herein to modify the classification of the land in S.No.456 in Rasulpettai, Banavaram Village and Post, Sholinghur Taluk, Ranipet District as 'grama natham' with a total extent of 7 Acres 41 cents in the A-Register by

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considering the joint representation of petitioners dated 18.03.2025 sent to the first respondent.

For Petitioners : Mr.A.Navaneetha Krishnan,
Senior Counsel
for Mr.K.S.K.Nepolian

For Respondents : Mr.M.S.Arasakumar,
Government Advocate
for R1 to R4

Mr.T.K.Saravanan,
Additional Government Pleader
for R5

ORDER

[Order of the Court was made by **K.GOVINDARAJAN THILAKAVADI, J.,**]

This writ petition has been filed with a prayer of issuance of writ of certiorarified mandamus assailing the impugned show-cause notices dated 21.02.2025 and 19.04.2025 and for a consequential direction to the first respondent to modify the classification of 'land admeasuring 7 acres and 41 cents in S.No.456 in Rasulpettai, Banavaram Village and Post, Sholinghur Taluk, Ranipet District' (hereinafter 'said land' for the sake of convenience and clarity) as 'grama natham'.

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2. According to the writ petitioners, the said land has been classified as 'Grama Natham'. While so, the fourth respondent issued a notice dated 18.09.2024 under Section 7 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity} for removal of encroachment in the said land. In this regard, the writ petitioners sent a representation on 30.09.2024 to the third respondent, namely the District Collector, Ranipet District and the fourth respondent namely Tahsildar, Sholinghur Taluk, Ranipet District but the same was not considered till date. Hence, the writ petitioners are constrained to file the above writ petition.

3. Issue notice.

4. Mr.M.S.Arasakumar, learned Government Advocate accepts notice for R1 to R4 and Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for R5.

5. Considering the limited scope of the captioned writ petition, with the consent of all the learned counsel i.e., learned Senior counsel for petitioners and learned State counsel, the writ petition is taken up in the Admission Board.

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6. Learned State counsel submits that the respondents have commenced action under said 1905 Act, notice under Section 7 of said 1905 Act has been issued and further action will be continued under said 1905 Act.

7. In view of the above stated position of the learned State counsel, the following order is passed;

i) The writ petitioners shall respond to the show-cause notice within a period of two weeks from today i.e., on or before 14.05.2025 and the same shall be considered by the appropriate authority before passing the final order;

ii) If the order is adverse to the writ petitioners, the writ petitioners are at liberty to workout their remedy in the manner known to law;

iii) It is made clear that if encroachments are found, the respondents shall take action under said 1905 Act following the procedure contemplated therein.



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With the above observation and directions, captioned writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.

(M.S.,J.) (K.G.T.,J.)
30.04.2025

Index : Yes/No
Neutral Citation : Yes/No
gpa

To

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Chepauk, Chennai – 600 005
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**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

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