



W.P.No.19520 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.05.2025

CORAM :

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

AND

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.No.19520 of 2025
and W.M.P.No.21823 of 2025

C.Sivanandam
S/o.Late Chinnaiya Gounder,
1/1, Naicken Thottam,
Kannampalayam Village & Post,
Sulur Taluk,
Coimbatore 641 402.

Petitioner

Vs

1. The Commissioner of Survey and Settlement
Commissionerate of Survey and Settlement,
Government of Tamil Nadu,
Survey House, Chepauk,
Chennai 600 005.
- 2.The District Collector,
Coimbatore District,
Coimbatore 641 018.



W.P.No.19520 of 2025

WEB COPY

3.The Revenue Divisional Officer,
Sulur Taluk,
Coimbatore District 641 402.

4.The Tahsildar,
Sulur Taluk,
Coimbatore District 641 402.

5.The Revenue Inspector,
Sulur Sub Taluk,
Sulur Taluk,
Coimbatore District 641 402.

Respondents

PRAYER Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari, calling for the records relating to the impugned Notice issued by the 4th respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 in No. Nil dated 22.05.2025, served on the Petitioner dated 23.05.2025 and to quash the same.

For Petitioner: Mr.J.Jayamalan

For Respondents: Mr.S.J.Mohammed Sathik,
Government Advocate



W.P.No.19520 of 2025

WEB COPY

ORDER

(Order of the Court was made
by *Senthilkumar Ramamoorthy, J.*)

The petitioner assails an order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

2. Learned counsel for the petitioner submits that W.P.No.27887 of 2022 was filed and that an Advocate-Commissioner was appointed therein. Without adverting to the report of the Advocate-Commissioner, he submits that, notice under Section 7, followed by the impugned order under Section 6 came to be issued.

3. Mr.S.J.Mohammed Sathik, learned Government Advocate, accepts notice on behalf of all the respondents. He points out that the petitioner has a statutory appellate remedy.



W.P.No.19520 of 2025

WEB COPY

4. Since the petitioner has statutory appellate remedy under Section 10 of the above mentioned enactment, it is appropriate that the petitioner avails of such remedy. Accordingly, the petitioner is directed to file the statutory appeal and seek interim relief therein within fifteen days from the date of receipt of a copy of this order. Until such time, the respondents are restrained from initiating any coercive action pursuant to Section 6 order.

5. The writ petition is disposed of on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.K.R., J.)

(T.V.T.S., J.)

28.05.2025

Index : No
Neutral Citation : No
bbr/vum



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WEB COPY

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WEB COPY



W.P.No.19520 of 2025

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and
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