



WEB COPY



WP No. 41766 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 41766 of 2025 AND

WMP Nos. 46811, 46814 and 46815 OF 2025

1. P.Rajeshwari
W/o Periyasamy Residing At Pocharampatti Village,
Koothapadi, Pennagaram Taluk, Dharmapuri District.
2. Murugesan
S/o Ponusamy Reddy, Residing At Pocharampatti
Village, Koothapadi, Pennagaram Taluk, Dharmapuri
District
3. M. Kariyappan
S/o Mairiyappan, Residing At Pocharampatti Village,
Koothapadi, Pennagaram Taluk, Dharmapuri District

..Petitioners

Vs

1. The District Collector
Dharmapuri District
2. The Revenue Divisional Officer
Pennagaram Division, Dharmapuri District
3. The Thasildar
Pennagaram Taluk, Dharmapuri District
4. The Revenue Inspector
Pennagaram Taluk, Dharmapuri District



WP No. 41766 of 2025

5. The Village Administrative Officer
Koothapadi Village, Pennagaram Taluk,
Dharmapuri District
6. Madammal
W/o Mariyappan, Pocharampatti Village,
Koothapadi Pennagaram Taluk, Dharmapuri District

..Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records of the 4th respondent in impugned notice dated 04.06.2025 and quash the same as illegal and consider the petitioners reply dated 16.06.2025.

For Petitioners : Mr.M.Selvam

For Respondents : Ms.M.Jayanthi
Additional Government Pleader - for RR 1 to
R6 - Notice dispensed with

Order
(Order of the Court was made by R.Suresh Kumar J.)

In respect of S.No.742/2 at Alepuram Village, Pennagaram Taluk, Dharmapuri District, it is the stand of the Revenue Department that, it is a public pathway, where there has been a public well, which was later on closed by the third petitioner and he is using that land also as agricultural land along with his land. Therefore, it was objected to by the village people to restore the public pathway and after having surveyed the land, in order to restore the public pathway and to remove the encroachment made by the petitioners especially the third petitioner, notice under



WP No. 41766 of 2025

Section 7 of the Land Encroachment Act has been given. This is the stand taken by the Revenue Tahsildar, who has given written instructions to that effect dated 04.11.2025.

2. However, it is the stand of the petitioner that the land at S.No.742/2 at Alepuram Village, Pennagaram Taluk, Dharmapuri District is the patta land belongs to the petitioners and they have not encroached any Government land or Poramboke land or public pathway as claimed by either the village people or the revenue authorities.

3. Be that as it may. Now, Section 7 notice has been served. The petitioners claimed to have sent a reply dated 16.06.2025 to the Revenue Tahsildar in response to the said notice.

4. When that being the position, this Court having taken note of the aforesaid facts and circumstances, is inclined to dispose of this writ petition with the following directions.

- (a) It is open to the Revenue Tahsildar to consider the reply given by the petitioners dated 16.06.2025 and pass necessary orders to that effect either under Section 6 of the Act or otherwise based on merits.



WP No. 41766 of 2025

WEB COPY

(b) If any adverse orders are passed by the Revenue Tahsildar under Section 6 of the Act, it is further open to the petitioners to agitate the issue in the manner known to law including appeal to be filed in this regard before the appellate authority under Section 10 of the Land Encroachment Act.

5. With the above directions, this writ petition is disposed of. No costs.

W.M.P.No.46811 of 2025 is ordered. W.M.P.Nos.46814 and 46815 of 2025 are closed.

(R.S.K.,J.) (H.C.,J.)
04-11-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KST



WP No. 41766 of 2025

WEB COPY

- To
1. The District Collector
Dharmapuri District.
 2. The Revenue Divisional Officer
Pennagaram Division, Dharmapuri District
 3. The Thasildar
Pennagaram Taluk, Dharmapuri District
 4. The Revenue Inspector
Pennagaram Taluk, Dharmapuri District
 5. The Village Administrative Officer
Koothapadi Village, Pennagaram Taluk,
Dharmapuri District



WEB COPY



WP No. 41766 of 2025

**R.SURESH KUMAR J.
AND
HEMANT CHANDANGOUDAR J.**

KST

WP No. 41766 of 2025

04-11-2025

Page 6 of 6