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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

**THE HONOURABLE MR JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR**

**WP No. 34329 of 2025 and
WMP No.38489 of 2025**

D.Kumar

Petitioner(s)

Vs

1. The State By
The District Collector,
The Collector Office, Ranipet District.

2.The Revenue Divisional Officer,
The Revenue Divisional Office,
Arakkonam.

3.The Tahshildar,
The Taluk Office Arakkonam,
Ranipet District.

4.The Revenue Inspector,
Arakkonam Ranipet District.

5.The Zonal Deputy Tahsildar,
Arakkonam, Ranipet District.

6.The Village Administrative Officer,
Chittur, Ganapathypuram Post,
Arakkonam, Ranipet District.

Respondent(s)

PRAYER : Petition under Article 226 of the Constitution of India, praying for issuance of writ of certiorarified mandamus to call for the records of the 1st respondent impugned order in Na.Ka. C3/ 6403/ 2025 dated 27.06.2025 and quash the same and direct the respondents to issue patta in favour of the petitioner in respect of the property in survey No.519 to the extent of 1.15 acre



in the Chittur Manavanthangal Village, Ganapathypuram Post, Arakonam Taluk,
Ranipet District.

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For Petitioner(s): Mr. V.Raghavan

For Respondent(s): Mr E.Vijay Anand
Additional Government Pleader

ORDER

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

As against the order passed by the first respondent/District Collector under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, dated 27.06.2025, the present writ petition has been filed.

2.Under section 10A, the revisional powers has been provided, especially, under Section 10A(b), if an order is passed by the District Collector, then the revision would be before the Commissioner of Land Administration. The language used in Section 10A(b) of the Act reads thus,

10-A.Revision-(1).....

(a).....

*(b) by the Commissioner of Land
Administration if such decision or order was passed
by any officer other than the appellate authority.*

3.Any decision or order passed under this Act may be revised either suo motu or on application by the Commissioner of Land Administration, if such a decision or order is passed by any officer other than the appellate authority.



Under Section 10A (c), the language used is any decision or order passed under this Act may be revised either suo motu or on application by the State Government if such a decision or order was passed by the appellate authority or the Commissioner of Land Administration.

4. Here the order is passed by the District Collector being the appellate authority under Section 10. Therefore, if the appellate authority passes any order, the revision would lie under sub clause (c) of Section 10A to the State Government. Therefore, such a revision can be filed by the petitioner against the order impugned herein, dated 27.06.2025, where, what are all the grounds that has been urged by the petitioner in this writ petition, can also be agitated.

5. In that view of the matter, we are inclined to dispose of the writ petition with the following orders that,

(i) It is open to the petitioner to file a revision under Section 10 A (c) of the Tamil Nadu Land Encroachment Act, 1905 against the impugned order passed by the appellate authority i.e., the first respondent/District Collector, dated 27.06.2025, within a period of two (2) weeks from the date of receipt of a copy of this order.

(ii) If such a revision is filed, the same shall be considered and decided on merits and in accordance with law by the State Government after giving an opportunity of being heard to the petitioner within a period of three (3) months



from the date of filing of such revision. For the period of two weeks for filing the revision by the petitioner from the date of receipt of a copy of this order (supra), pursuant to the impugned order, no coercive action shall be taken by the Revenue Authorities for dispossessing the petitioner.

(iii) It is further open to the petitioner to seek for any further interim protection by filing an interlocutory application along with the revision before the Revisional Authority as stated supra, under Section 10 (B) of the Act. In that case, it is open to the Revisional Authority to take up the interlocutory application and decide the same separately at the initial stage itself by giving a reasonable opportunity of being heard to the petitioner as well as the Revenue Authorities.

(iv) With these observations and liberty to the petitioner, the present writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (H.C., J.)

18-09-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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**R.SURESH KUMAR J.
AND
HEMANT
CHANDANGOUDAR J.**

sli

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