



W.P.No.35915 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM :

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

W.P.No.35915 of 2025

S.Jothimani

.. Petitioner

Vs.

1. The District Collector
Collectorate Office
Collectorate – 641 018.

2. The Tahsildar
Coimbatore South Taluk
Singanallur, Coimbatore – 641 005.

3. The Revenue Officer
Coimbatore South Taluk
Singanallur, Coimbatore – 641 005.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of certiorarified mandamus, calling for the records of the impugned order of eviction notice passed by the third respondent dated 11.06.2025 quash the same and consequently directed the respondents not to interfere with the possession of the property bearing S.No.227, Nandha Nagar, Nandha Nagar Kudisaipakuthi, Coimbatore South, Coimbatore – 641 005.

For the Petitioner : Mr.B.Nedunchezhiyan

For the Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader
for R1

Mr.T.Chezhiyan
Additional Government Pleader
for R2 and R3



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ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

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Prayer sought herein is for a writ of certiorarified mandamus, to call for the records of the impugned order of eviction notice passed by the third respondent dated 11.06.2025, quash the same and consequently direct the respondents not to interfere with the possession of the property situate at S.No.227, Nandha Nagar, Nandha Nagar Kudisaipakuthi, Coimbatore South, Coimbatore – 641 005.

2.1. In respect of the landed property to an extent of 0.35 ares at S.No.290/1A at Singanallur Village, Coimbatore District, it is the claim of the petitioner that a part of the property has already been given patta under the landless poor category to the petitioner, however, considering the occupancy of the petitioner at the said land as an encroachment, the third respondent had issued notice under Section 7 of the Act 3 of 1905, that is the Tamil Nadu Land Encroachment Act, 1905.

2.2. In fact, that Section 7 notice had been replied in detail by the petitioner on 19.06.2025, despite that, it is apprehended by the petitioner that the petitioner would be evicted abruptly without considering the objections and the reply having been given by her



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and also the fact that a part of the subject property had already been given assignment by way of patta by the Government to the petitioner, therefore, the petitioner has moved the present writ petition with the aforesaid prayer, the learned counsel for the petitioner would contend.

3. Heard *Mr.E.Veda Bagath Singh*, learned Special Government Pleader for the respondents, who would submit that, the impugned communication itself is a notice issued under Section 7 of the Act 3 of 1905, for which, if a reply has been given on 19.06.2025 by the petitioner, the same would be considered by the Revenue Authorities, especially, the second respondent and the same would be decided, on merits and in accordance with law, within a time frame that would be stipulated by this Court.

4. Having regard to the said submissions made by the learned counsel appearing for both sides, especially the stand taken by the learned Special Government Pleader for the respondents, this Court is inclined to dispose of this writ petition with the following orders:-

- (i) There shall be a direction to the second respondent to consider the representation given by the petitioner dated 19.06.2025. Since the reply has been addressed to the Secretary to the



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Government, Revenue Department, a copy of the same shall be forwarded to the second respondent by the petitioner within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent shall consider the said reply and pass necessary orders thereon, on merits and in accordance with law, by taking into account the claim made by the petitioner that a part of the property has been given assignment/patta by the Government.

(ii) The needful, as indicated above, shall be undertaken by passing final orders within a period of four weeks thereafter. Till such time no coercive steps shall be undertaken against the petitioner pursuant to the communication issued under the provisions of Act 3 of 1905.

5. The writ petition, as such, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.40175 & 40176 of 2025 are closed.

(R.S.K., J.) (H.C., J.)
27.10.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

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To:

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

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