



W.P No. 34155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 34155 of 2025 AND WMP NO. 38301 OF 2025

Pooranam

W/o. Karupasamy, No. 31 Savadis T,
Chinaravalasu, Mulanur Village, Tirupur District 638 106.

..Petitioner

Vs

- 1.The District Collector
Tirupru District, Tirupur.
- 2.
- 3.The Distirct Revenue Officer
Tirupur Distirct.
- 4.
- 5.Revenue Divisional Officer
Dharapuram Division, Tiirupur
- 6.Thasildar
Dharapuram Taluk, Tirupur
- 7.Revenue Inspector
Mulanur, Dharapuram Taluk, Tirupur
- 8.Village Administrative Officer
Mlanur Vilage, Tirupur



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9.The Ezxecutive Officer

Mulanur Town Panchayat, Tirupur

WEB COPY

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider and assign 346 square meter of land in Grama natham survey No. 2254/1 situated in Chinnaravalasu Mulanur Village, Tirupur District in favour of the petitioner based on her representation dated 12.07.2024 and 30.6.2025 and consequently forbear the respondents from proceedings with any coercive action including eviction pursuant to the form 6 notice dated 01.08.2025 issued under the Tamilnadu Land Encroachment Act 1905.

For Petitioner : Mr.K.V.Muthu Visakan

For Respondents : Mr D.Ravichander
Special Government Pleader

Order

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

The prayer sought for is to direct the respondents to consider and assign 346 square meter of land in Grama natham Survey No.2254/1 situated in Chinnaravalasu Mulanur Village, Tirupur District in favour of the petitioner based on her



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representation dated 12.07.2024 and 30.6.2025 and consequently forbear the

respondents from proceedings with any coercive action including eviction

pursuant to the form 6 notice dated 01.08.2025 issued under the Tamilnadu Land

Encroachment Act 1905.

2. In respect of the land at Survey No. 2254/1 situated in Chinnaravalasu Mulanur Village, Tirupur District to the extent of 1.70 Hectares, which is classified as Natham land, where the petitioner has already put up his dwelling house and has been residing there, in order to get the patta or assignment of the said Natham land, the petitioner has already given representation on 30.06.2025, which is pending before the Revenue authorities / District Collector. When that being so, simultaneously initiation of proceedings under the provisions of Act 3 of 1905 (Land Encroachment Act) started, whereby Section 7 show cause notice was issued followed by Section 6 order dated 01.08.2025, whereby the petitioner was directed to vacate the land. Therefore, the petitioner has moved the present writ petition with the aforesaid prayer.



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3. Insofar as the land in question is concerned, since it has already been classified as Natham land, where he had already built a dwelling house and has been residing there and in order to get the Patta / assignment since a representation has already been made to the District Collector, unless the same is decided by the Collector, action now initiated by the Revenue Tahsildar or any other authority under the Government Department by invoking Act 3 of 1905 may not be justifiable.

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

(a) There shall be a direction to the respondents especially the first respondent / District Collector to consider the representation given by the petitioner dated 30.06.2025 and decide the same on merits and in accordance with law, of course after giving an opportunity of being heard, within a period of two months from the date of receipt of a copy of this order.

(b) Till such time, no further action shall be taken on the show cause notice as well as the order passed by the authorities under Section 7 as well as 6 of the Land Encroachment Act.



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

Consequently, connected miscellaneous petition is closed.

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

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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