



WEB COPY



W.P.No.36187 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

CORAM

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

**W.P.No.36187 of 2025
and
W.M.P.No.40437 of 2025**

Aasira Begum

... Petitioner

-Vs-

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The Revenue Inspector,
Uthukottai Taluk,
Thiruvallur District.

3. The Tahsildar,
Uthukottai Taluk,
Thiruvallur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records pertaining to the show cause notice dated 22.04.2025 issued by the second respondent under Section 3(7) of Tamil Nadu 1905 and quash the same.



W.P.No.36187 of 2025

For Petitioner : Mr.Samjr S.Shah
for Mr.S.John Josh

For Respondents : Ms.M.Jayanthi
Additional Government Pleader

ORDER

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

The prayer sought for herein is for a writ of certiorari, to call for the records pertaining to the show cause notice dated 22.04.2025 issued by the second respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) hereinafter referred to as 'the Act' and quash the same.

2. In respect of land to an extent of 0.16 hectares at Survey No.260/4A in Periyapalayam Village, Uthukottai Taluk, Thiruvallur District, notice under Section 7 of the Act had been issued by the revenue authorities, i.e., second respondent.

3. Though the notice is dated 22.04.2025, it had been served on the petitioner only on 30.08.2025, on receipt of the same, the petitioner has given a detailed reply on 03.09.2025.



W.P.No.36187 of 2025

4. Despite the reply having been given, it is the apprehension on the part of the petitioner that, without even considering the said reply, the respondents would take coercive action to remove the petitioner from the land in question even without passing any order under Section 6 of the Act. Only on that premises, the present writ petition has been filed questioning section 7 notice itself.

5. We have Mr.Samjur S.Shah, learned counsel appearing for the petitioner and Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents.

6. Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents would submit that, since he filed the reply on 03.09.2025, the same would be considered by the Revenue Tahsildar, i.e., third respondent, thereafter the action would be taken if need arises by issuing order under Section 6 of the Act, she contended.

7. In view of the said stand taken by the learned Additional Government pleader appearing for the respondents, this Court is inclined to dispose of the writ petition with the following orders:



W.P.No.36187 of 2025

WEB COPY

(i) that there shall be a direction to the respondents, especially, third respondent to consider the reply given by the petitioner dated 03.09.2025 for Section 7 notice dated 22.04.2025 received on 30.08.2025 and pass necessary orders thereon, if there is any encroachment, under Section 6 of the Act otherwise any other order as the third respondent may deem fit in accordance with law be passed.

(ii) Till such final order is passed, no coercive steps shall be taken towards dispossessing the petitioner from the land in question.

8. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (H.C., J.)
16.10.2025

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



W.P.No.36187 of 2025

To

WEB COPY

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Revenue Inspector,
Uthukottai Taluk,
Thiruvallur District.
3. The Tahsildar,
Uthukottai Taluk,
Thiruvallur District.



WEB COPY



W.P.No.36187 of 2025

**R.SURESH KUMAR, J.
and
HEMANT CHANDANGOUDAR, J.**

vji

**W.P.No.36187 of 2025
and
W.M.P.No.40437 of 2025**

16.10.2025