



WEB COPY



W.P No. 36213 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 36213 of 2025

AND

WMP NO. 40477 OF 2025

K.Periannan
S/o.Kolandhaipaiyan @ Kolandhai, No.1/245
Amman Nagar, Periya Siragapadi Salem South
Taluk, Salem- 633 308.

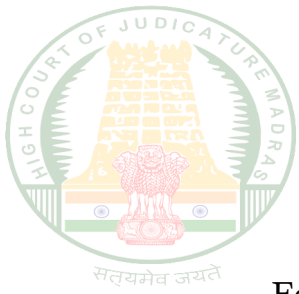
..Petitioner(s)

Vs

1. The District Collector
O/o The District Collector, Salem District,
Salem.
2. The Revenue Divisional Officer
Salem Sub- Division, Salem.
3. The Tahsildar
Salem South Taluk Office, Salem, Salem District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to dispose the appeal dated 11.08.2025 filed by the petitioner by invoking section 10 of Tamil Nadu Land Encroachment Act in a stipulated time prescribed by this Court.



W.P No. 36213 of 2025

WEB COPY

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.S.Arumugam
Government Advocate

Order

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

The prayer sought for herein is for a Writ of Mandamus to dispose the appeal dated 11.08.2025 filed by the petitioner by invoking section 10 of Tamil Nadu Land Encroachment Act in a stipulated time prescribed by this Court.

2. As against the notice issued under Section 7 of the Land Encroachment Act dated 26.05.2025 issued by the Revenue Inspector, Vembadithalam Revenue Firkha, instead of giving a reply, the petitioner has filed an appeal to the first respondent District Collector on 11.08.2025 and in order to decide the said appeal, he has moved the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.



W.P No. 36213 of 2025

WEB COPY

4. On a reading of Section 7 notice dated 26.05.2025, we find that it is only a show cause notice and followed by the same, Section 6 proceedings would be issued later on if no satisfactory cause is shown by the petitioner to the said show cause notice. Therefore, the petitioner has every chance to give reply to the show cause notice. Without resorting to the same since he has filed an appeal before the first respondent / District Collector as if it is a final order, we do feel that the present writ petition can be disposed of by giving liberty to the petitioner to give reply to the show cause notice.

5. In that view of the matter, liberty is given to the petitioner to give reply to the show cause notice dated 26.05.2025 issued by the Revenue Inspector under Section 7 of the Land Encroachment Act within 15 days from the date of receipt of a copy of this order. On receipt of such reply, it is open to the Revenue Tahsildar ie., the third respondent to act upon by passing an order under Section 6 or otherwise on merits and in accordance with law.

6. In view of the aforesaid liberty having been given, the appeal filed by the petitioner dated 11.08.2025 becomes otiose. Therefore, mandamus as sought for in this writ petition cannot be issued. By making this observation, this writ



W.P No. 36213 of 2025

WEB COPY

petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (H.C.,J.)
14-10-2025

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

KST



W.P No. 36213 of 2025

WEB COPY

To

1. The District Collector
O/o The District Collector, Salem District, Salem.
2. The Revenue Divisional Officer
Salem Sub- Division, Salem.
3. The Tahsildar
Salem South Taluk Office, Salem, Salem District.



WEB COPY



W.P No. 36213 of 2025

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

KST

**WP No. 36213 of 2025
AND
WMP NO. 40477 OF 2025**

14-10-2025

Page 6 of 6