



WEB COPY

WP No. 37418 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 01-12-2025**

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM  
AND  
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**WP No. 37418 of 2025  
and  
WMP Nos.41856 & 41860 of 2025**

Sivagami

Petitioner(s)

Vs

1. The District Collector  
Krishnagiri District, Krishnagiri.
- 2.The Revenue Divisional Officer  
Krishnagiri District, Krishnagiri
- 3.The Tahsildar  
Uthangarai Taluk Krishnagiri District.

Respondent(s)

**PRAYER:-**Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Na.Ka. No.3733/ 2024/ A3 dated 05.09.2025 and quash the same as illegal arbitrary, and violative of law consequently direct the respondents to refrain from proceeding with eviction or survey in respect of S.No.21/13 Solakkapatti Village, Uthangarai Taluk, Krishnagiri District until disposal of Appeal No.1327/2025.



WEB COPY

WP No. 37418 of 2



For Petitioner(s): Mr.J. Pradeep

For Respondent(s): Mr.T.Arunkumar, AGP

**ORDER**

**(Order of the Court was made by S.M.Subramaniam J.)**

The lis on hand has been instituted to assail the inter-departmental communication issued by the Tahsildar, Uthangarai to BDU, Uthangarai and Inspector General, Uthangarai, vide proceeding dated 05.09.2025.

2.Based on the representation given by the villagers, the Revenue authorities have initiated steps to survey the land more specifically “burrial ground”. The learned counsel for the petitioner would submit that the petitioner is in possession of the land and is cultivating the said land for several years. Therefore, the authorities are illegally interfering with the peaceful possession of the petitioner.

3.The learned Government pleader, appearing on behalf of the respondents, would submit that notice has been issued to the petitioner also, by the revenue authorities, to produce the documents of his ownership over the land along with the explanations, if any.

4.When an opportunity has been afforded to the petitioner, he has to avail it and submit his explanations along with the documents to establish his



ownership or right over the land, as the case may be. Contrarily, the interdepartmental proceedings would provide no cause for institution of a writ proceeding under article 226 of the Constitution of India, to the petitioner. In the event of identifying any encroachment, the authorities are bound to remove the same by following the procedures as contemplated under the relevant statutes and rules in force.

5.It is brought to the notice of this Court that the petitioner has earlier filed WP.No.37355 of 2024 and this court passed an order on 12.12.2024 directing the authorities to consider the representation, whether the petitioner is entitled for patta or not is also to be intervened with reference to the documents to be produced by him and by following the procedures as contemplated under the Tamil Nadu Patta Passbook Act, 1983, and the rules framed thereunder. However, in the event of identifying any encroachment in the government land, such encroachments have to be removed.

6.Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed

**(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)**  
**01-12-2025**

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



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**S.M.SUBRAMANIAM J.  
AND  
C.KUMARAPPAN J.**

Sha

To

1.The District Collector  
Krishnagiri District, Krishnagiri.

2.The Revenue Divisional Officer  
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3.The Tahsildar  
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