



W.P Nos. 40599, 40606 and 40610 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P Nos. 40599, 40606 and 40610 of 2025 AND

WMP Nos.45521, 45528, 45530, 45533, 45534 and 45520 of 2025

W.P.No.40599 of 2025

.. Petitioner in W.P.40599
of 2025

Malliga
W/o.Rajendaran, No.4/118, G.S.T. Road, Old
Otteri, Vandalur, Vandalur Taluk,
Chengalpet District.

.. Petitioner in
W.P.No.40606 of 2025

Govindharaj
S/o.Kannan, No.4/118, G.S.T. Road, Old Otteri,
Vandalur, Vandalur Taluk,
Chengalpet District.

Ganapathi
S/o.Kannan, No.4/117, G.S.T. Road, Old Otteri,
Vandalur, Vandalur Taluk,
Chengalpet District.

..Petitioner in
W.P.No.40610 of 2025

Vs

- 1.The District Collector
Collectorate Buildings, Chengalpet District.
- 2.
- 3.The District Revenue Officer,



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Voc Nagar, Ammanambakkam, Chengalpattu District.

4.The Revenue Divisional Officer,
Kadaperi, Tambaram, Chennai.

5.The Tahsildar
Vandalur Taluk Office, Otteri Peerakankaranai,
Chennai.

6.The Revenue Inspector
Vandalur Taluk, Chengalpet District.
7.

8.J.Sudhakar
S/o.Jagannathan, No.4/119, Vandalur Old
Otteri, Grand Trunk Road(GST Road)
Chennai-600 048.

..Respondents in all the
writ petitions

Prayer in W.P.No.40599 of 2025 : Writ Petition under Article 226 of the Constitution praying for a Writ of Certiorarified Mandamus to call for the records of the proceedings of the 4th respondent vide NA.KA 2038/ 2024/ Aa1 dated 13.08.2025 and quash same as illegal, arbitrary and without jurisdiction and consequently direct the respondents to consider the representation of the petitioner dated 24.02.2025 and 28.04.2025 seeking for issuance of a patta in respect of land in Survey No.221 situated at Old Otteri, Vandalur, Vandalur Taluk, Chengalpet District and pass appropriate orders within stipulated time as that may be fixed by this Court.

Prayer in WP No. 40606 of 2025: Writ Petition under Article 226 of the Constitution praying for a Writ of Certiorarified Mandamus call for the records of the proceedings of the 4th respondent vide NA.KA 2038/ 2024/ Aa1 dated



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13.08.2025 and quash same as illegal, arbitrary and without jurisdiction and consequently direct the respondents to consider the representation of the petitioner dated 24.02.2025, 27.02.2025 and 28.04.2025 seeking for issuance of a patta in respect of land in Survey No.221 situated at Old Otteri, Vandalur, Vandalur Taluk, Chengalpet District and pass appropriate orders within stipulated time as that may be fixed by this Court.

Prayer in WP No. 40610 of 2025: Writ Petition under Article 226 of the Constitution praying for a Writ of Certiorarified Mandamus to call for the records of the proceedings of the 4th respondent vide NA.KA 2038/ 2024/ Aa1 dated 13.08.2025 and quash same as illegal, arbitrary and without jurisdiction and consequently direct the respondents to consider the representation of the petitioner dated 28.04.2025 seeking for issuance of a patta in respect of land in Survey No.221 situated at Old Otteri, Vandalur, Vandalur Taluk, Chengalpet District and pass appropriate orders within stipulated time as that may be fixed by this Court

In all W.Ps.

For Petitioners : Mr.N.Umapathi

For Respondents : Ms.M.Jayanthy
Additional Government Pleader

Common Order

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

Since the issue raised in all these writ petitions are inter-connected, with the consent of the learned counsel for the petitioners as well as the learned Additional



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Government Pleader appearing for the respondents, all these writ petitions are taken up together and are disposed of by way of a common order.

2. In each of the writ petition, the order passed under Section 6 of the Land Encroachment Act (Act 3 of 1905) issued by the Revenue Tahsildar is under challenge. Since there is an appeal provision available under the said Act under Section 10 to prefer the appeal before the appellate authority ie., Collector of the District concerned as against the order passed under Section 6 of the Land Encroachment Act, since the petitioners have approached this Court directly by filing the present writ petitions without filing statutory appeal, which being the effective alternative remedy we are of the view that, these writ petitions can be disposed of by giving liberty to the respective writ petitioners to file an appeal before the appellate authority within the time frame.

3. In that view of the matter, this Court is inclined to dispose of these writ petitions with the following orders.

- (a) These writ petitions are not entertained in view of the clear appellate provisions available in the Land Encroachment Act.
- (b) It is open to the respective writ petitioner to prefer an appeal against the impugned orders in each of the writ petition before the appellate authority viz., District Collector within a period of two weeks from the date of receipt of a copy of this order.



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(c) In respect of the writ petitioner in W.P.No.40599 of 2025 is

concerned, though Section 6 order dated 13.08.2025 has been issued in the name of one Rajendran, who is none other than the husband of the petitioner Malliga and the said Rajendran is no more, in respect of this writ petition is concerned, the writ petitioner Malliga is permitted to file the appeal as against the order of the Revenue Tahsildar dated 13.08.2025 under Section 6 of the Land Encroachment act, which is impugned in these writ petitions.

(d) On filing of these appeals, the District Collector who is the appellate authority / the first respondent in these writ petitions is hereby directed to decide the said appeals as expeditiously as possible preferably within a period of three months from the date of receipt of such appeals.

(e) It is open to the respective petitioners to seek for an interim order of stay also against the order under Section 6 of the Land Encroachment Act before the appellate authority and in case any such interim applications are filed seeking for such stay, the same can be decided by the appellate authority within a period of 30 days from the date of receipt of such applications.

(f) Till such time, no coercive steps shall be taken against the writ petitioners.



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4. With the above directions, these writ petitions are disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

(R.S.K.,J.) (H.C.,J.)
28-10-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KST

To

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

KST

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