



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2025

CORAM

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

WP No. 39228 of 2025

1. K.T.Velavan

Petitioner(s)

Vs

1. The District Collector
District Collectorate,
Namakkal District 637001.

2.The Tahsildar
Paramathi Velur Taluk,
Namakkal District.

3.The Revenue Inspector
Pandamangalam,
Namakkal District 637208.

Respondent(s)

PRAYER

To call for the entire records pertaining to the impugned notice dated 30.09.2025 issued by the 3rd respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and quash the same as it is used without jurisdiction by considering the petitioners reply dated 08.10.2025.

For Petitioner(s): Mr.S.Senthil

For Respondent(s): Mr.A.Selvendran,
Special Government Pleader



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ORDER

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

Writ on hand has been instituted challenging the show cause notice dated 30.09.2025 issued by 3rd respondent under Section 7 of the Tamil Nadu Land Acquisition Act, 1905.

2. Impugned notice would show that the subject property has been classified as “burial ground”.

3. Learned counsel for the petitioner would submit that it is a patta land. However, the villagers are using the property as a burial ground for long years. That being so, the impugned notice is to be assailed.

4. Learned Special Government Pleader would submit that encroachments are identified in the burial ground and action for eviction has been initiated.

5. May that as it be, no writ against show cause notice is maintainable, unless such notice has been issued by an incompetent authority having no jurisdiction or tainted with allegation of malafide.

6. Petitioner would submit that a reply has already been submitted in



response to the impugned show cause notice. That being so, the authorities competent has to consider the same and issue final notice under Section 6 of the Act. If encroachments are identified, then enforcement actions are to be completed in all respects by evicting the encroachers. Encroachers, if aggrieved against the final notice under Section 6 of the Act, an appeal would also lie under Section 10 of the Act. This being the procedures to be followed, the present writ petition is not maintainable.

7. Accordingly, the present writ petition is dismissed, granting liberty to the petitioner to pursue his remedy under the scheme of the Act. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)

12-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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637001.

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Paramathi Velur Taluk, Namakkal
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