



WP No.44294 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.44294 of 2025
and WMP No.49404 of 2025

Diwakar Ratnam

.. Petitioner

-vs-

1. The District Collector,
Nilgiris District, Collectorate, Charring Cross,
Udhagamandalam 643 001, Nilgiris.

2. The Special Officer,
Masinagudi Panchayat,
Nilgiris, Tamil Nadu 643 223.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of certiorari to call for the records of the impugned Demolition Notice/ order dated 04.11.2025 passed by the 2nd respondent in Na.Ka. No.88 of 2025 and to quash the same as illegal and for consequential orders.

For Petitioner : Mr.M.K.Kabir
Senior Counsel
for Mr.M.Sathish



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For Respondents : Mr.D.Ravichander
Spl. Govt. Pleader for R-1
: Mr.M.Habeeb Rahman
Govt. Advocate for R-2
* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Though number of grounds have been urged to assail the correctness and validity of the impugned notice issued to the petitioner, on the face of order dated 26.03.2024 passed in a writ petition, against which SLP was dismissed on 10.05.2024 by the Supreme Court and thereafter, an order passed in contempt proceedings on 24.10.2025, this petition is not maintainable.

Submission of learned counsel for the petitioner is that after the order dated 26.03.2024 of the High Court and the order dated 10.05.2024 by the Supreme Court, there is a Division Bench order on 12.09.2025 declaring the petitioner's entitlement to seek compensation and therefore, the proceedings which are now being drawn in purported compliance of the direction issued on 26.03.2024 and 24.10.2025 should not be acted upon.



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2. We cannot comment upon the correctness, legality and validity of the order which has been passed by a Co-ordinate Bench in various proceedings including the order dated 26.03.2024 and 24.10.2025 on the basis of the submission made before this Court that the petitioner is the owner of the land and not an encroacher, construction was not illegal but legal and as per permission or that in view of the order dated 12.09.2025 passed a Division Bench in a batch of writ petitions, the petitioner is entitled to compensation.

Petition is, therefore, dismissed. We leave it to the petitioner to take such remedy as may be available to him in the manner known to law to approach the appropriate forum in appropriate proceedings. There shall be no order as to costs. Consequently, the interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
17.11.2025

Index : Yes/No
Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

To

1. The District Collector,
Nilgiris District, Collectorate Charring Cross,
Udhagamandalam 643 001, Nilgiris.
2. The Special Officer,
Masinagudi Panchayat,
Nilgiris, Tamil Nadu 643 223.

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