



WEB COPY



W.P.No.48499 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.48499 of 2025

and

W.M.P.Nos.54160 and 54161 of 2025

1.P.Livingston

2.The Disciples Church,
Rep. by its Trustee Muthulakshmi,
Door No.2/167, East Coast Road,
Poniyamman Koil Near, Injambakkam,
Chennai – 600 115.

3.Muthulakshmi

4.Jeganathan

5.K.Logu

6.M.Mohan

... Petitioners

-VS-

1.The District Collector,
Chennai Collectorate Office,
Chennai – 600 001.



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2.The Revenue Divisional Officer,
Sholinganallur Revenue Divisional Office,
Sholinganallur, Chennai – 600 119.

3.The Tahsildar,
Sholinganallur Taluk Office,
Sholinganallur, Chennai – 600 119.

4.The Revenue Inspector,
Sholinganallur Birka Office,
Sholinganallur Circle,
Chennai – 600 119.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, quashing the Section 7 notice dated 07.11.2025 issued by the 4th respondent on behalf of other respondent in respect of Survey No.164/8, the extent of 1.01.5 Hec/Ares, Injambakkam Village. Consequently direct the respondents to conduct a fresh joint survey in the presence of the petitioners, pending disposal of the Writ Petition.

For Petitioners : Mr.S.Tamilmaran

For Respondents : Mr.M.S.Premkumar,
Government Advocate



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ORDER

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

The Writ Petition has been instituted challenging the show cause notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905.

2. No Writ against the show cause notice is entertainable, unless it has been issued by the incompetent Authority under Section 7 of the Land Encroachment Act. Before taking proceedings under Section 6, the Collector or Tahsildar or Deputy Tahsildar or Revenue Inspector or any authorized officer or any other officer specified by the State Government in this behalf, as the case may be, shall cause to be served on the person reputed to be in unauthorized occupation of land being the property of Government. Therefore, the Revenue Inspector is the competent Authority to issue notice under Section 7 of the Land Encroachment Act.

3. The petitioners in response are at liberty to submit their explanation along with documents, if any, failing which the Authority is empowered to continue the enforcement action already initiated. However, no Writ would lie.



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4. Granting liberty to the petitioners to submit their explanation, this Writ Petition stands **dismissed**. No costs. W.M.P.No.54160 of 2025 filed to permit the petitioners 1 to 6 to join and file a single Writ Petition is ordered on payment of separate Court fee and the other connected miscellaneous petition is closed.

(S.M.S,J.,) (C.K,J.,)
16.12.2025

Index: Yes / No
Internet: Yes / No
dsa



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To:

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Chennai – 600 001.
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Sholinganallur Revenue Divisional Office,
Sholinganallur, Chennai – 600 119.
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AND
C.KUMARAPPAN, J.

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