



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2025

WEB COPY

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

and

THE HON'BLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.4427 of 2025

and

WMP(MD)No.3183 of 2025

Baskar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Revenue and Disaster Management
Department,
Secretariat, Chennai – 600 009.

2.The District Collector,
Thanjavur District, Thanjavur.

3.The Revenue Inspector,
Kavalipatti Village,
Thiruvonam Taluk,
Thanjavur District.

4.The Revenue Inspector,
Kavalipatti Range,
Thiruvonam Taluk,
Thanjavur District.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned notice passed by 4th respondent under Section 7 of the Tamil Nadu Land Encroachments Act, 1905 dated 06.11.2024 and quash the same as illegal and consequently directing the respondents to provide alternative remedy to the petitioner as per G.O.Ms No.318 dated 30.08.2019 and subsequent period extend in Government Orders in G.O.Ms.No.480 dated 11.09.2020, G.O.Ms.No. 267 dated 17.09.2021 (rectified G.O.Ms.No.622, dated 01.10.2021) and G.O.Ms.No. 462 dated 23.09.2022 on the basis of the petitioner's representation dated 17.12.2024.

For Petitioner : Mr.B.Anandan

For Respondents : Mr.P.B.Ahamed Yashmin Parvin
Government Advocate for R1 to R4

ORDER

Heard both sides.

2.In this writ petition, the petitioner questions the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. It is well settled that notice is not amenable to challenge unless want of jurisdiction is shown. The impugned notice has been issued by the Revenue Inspector. Section 7 of the Act recognises him as one of the authorities competent to issue notice. It is for the petitioner to submit



proper explanation. If any adverse order is passed, it is open to him to move this Court again.

3.This writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

[G.R.S., J.] & [B.P., J.]
20.02.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
Skm

To

1.The Secretary to Government,
Revenue and Disaster Management
Department,
Secretariat, Chennai – 600 009.

2.The District Collector,
Thanajvur District, Thanjavur.

3.The Revenue Inspector,
Kavalipatti Village,
Thiruvonam Taluk,
Thanjavur District.

4.The Revenue Inspector,
Kavalipatti Range,
Thiruvonam Taluk,
Thanjavur District.



WEB COPY



G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

Skm

WP(MD)No.4427 of 2025

and

WMP(MD)No.3183 of 2025

20.02.2025