



W.P.(MD) No.5982 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.5982 of 2025

and

W.M.P.(MD)Nos.4377 and 4379 of 2025

- 1.Pandiyammal
- 2.Kaliyammal
- 3.Subbuthai

... Petitioners

-Vs-

- 1.State of Tamil Nadu,
Rep. by the Principal Secretary and
Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai-5.
- 2.The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi.
- 3.The District Collector,
Thoothukudi District, Thoothukudi.
- 4.The Tahsildar,
Kovilpatti, Thoothukudi District.

... Respondents



W.P.(MD) No.5982 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 4th respondent vide his proceedings in Na.Ka.AA3/6466/2024, dated 30.09.2024 and quash the same as illegal insofar as the petitioners are concerned and consequently, to forbear the respondents from evicting the petitioners from their patta land situated at S.Nos.352 (Old S.No.317 P), Uthupatti Village, Kovilpatti Taluk, Thoothukudi District.

For Petitioner : Ms.H.Jasima Yasmin,
for M/s.Ajmal Associates
For R1, R3 & R4 : Mrs.D.Farjana Ghoushia,
Special Government Pleader
For R2 : Mr.N.Anandakumar,
Standing Counsel

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

Challenging the eviction order dated 30.09.2024 issued by the 4th respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act'), this Writ Petition is filed.

2.At the outset, this Court is of the view that the said order issued under Section 6 of the Act is appealable before the 3rd respondent under Section 10 of the Act. Without exhausting the appeal remedy, the petitioner has filed this Writ

Page 2 of 4



W.P.(MD) No.5982 of 2025

Petition. Therefore, we are not inclined to entertain this Writ Petition.

Accordingly, this Writ Petition is dismissed with liberty to the petitioner to prefer an appeal before the 3rd respondent. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B., J.] & [S.S.Y., J.]
02.04.2025
(2/2)

NCC : Yes / No
Index : Yes / No

Yuva

To

- 1.The Principal Secretary and
Commissioner of Land Administration,
State of Tamil Nadu,
Ezhilagam, Chepauk, Chennai-5.
- 2.The District Collector,
Thoothukudi District, Thoothukudi.
- 4.The Tahsildar,
Kovilpatti, Thoothukudi District.



WEB COPY



W.P.(MD) No.5982 of 2025

J.NISHA BANU, J.

AND

S.SRIMATHY, J.

Yuva

W.P.(MD)No.5982 of 2025

02.04.2025

(2/2)