



WP(MD). No.6552 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 12/03/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.6552 of 2025
and WMP(MD) Nos.4820 and 4822 of 2025

N.R.K.A. Ayyannanraja

... Petitioner

v.

1. The District Collector,
Office of the District Collector,
Madurai District..

2. The Revenue Divisional Officer,
Madurai,
Madurai District..

3. The Tahsildar,
Madurai East Taluk,
Madurai District..

4. The Block Development Officer,
Madurai East Taluk,
Madurai District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records pertaining to the impugned order of the 3rd respondent dated

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27.02.2025.

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For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mrs.D.Farjana Ghoushia for R1 to R4
Special Government pleader
Mr.G.Vishnuram for proposed respondent

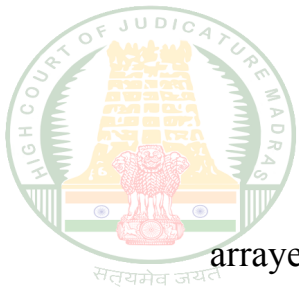
ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The writ petition has been filed challenging the impugned order of the 3rd respondent dated 27.02.2025.

2. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3. The petitioner is the owner of the property in S.No.48/50. While so, one Gowri has preferred a representation/complaint before the official respondents stating that the petitioner has made encroachment by putting up fence in the aforesaid survey number and filed a writ petition in WP(MD) No.27403 of 2023 and this Court on 17.11.2023 disposed of the writ petition. In the said writ petition, the petitioner herein has been



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arrayed as respondent No.5. However, without issuing notice and without hearing the petitioner herein, an order was passed.

4. Pursuant to the said order, the 3rd respondent has issued a notice under Section 7 of the Land Encroachment Act, for which, the petitioner has also given his explanation. However, without considering the said explanation, the impugned eviction order has been passed. Hence, the petitioner is before this Court with this writ petition challenging the impugned order.

5. In the earlier writ petition filed by one Gowri (supra), this Court has passed an order at the admission stage itself and directed the authorities to consider the representation of the petitioner therein by giving opportunity to all concerned and pass appropriate orders. Pursuant to the said orders of this Court, opportunity was given to the petitioner herein and it was found that the petitioner has encroached 5.4 cents and therefore, we are not inclined to entertain the writ petition.



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6. Accordingly, the writ petition is dismissed. If at all the petitioner is aggrieved, he is at liberty to file an appeal against the impugned eviction order before the appellate authority under Section 10 of the Land Encroachment Act. No costs. Consequently connected Miscellaneous Petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

12.03.2025

NCC : Yes/No

Index : Yes/No

RR

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Madurai District..

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J.NISHA BANU, J
AND
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ORDER
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