



W.P(MD)Nos.6990 and 7441 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P(MD)Nos.6990 and 7441 of 2025

and

W.M.P.(MD) Nos.5281 and 5599 of 2025

For W.P(MD)No.6990 of 2025

Veerakumar

... Petitioner

Vs

1. The District Collector,
Dindigul District.
2. The District Revenue Officer,
Dindigul District.
3. The Revenue Divisional Officer,
Dindigul,
Dindigul District.
4. The Tahsildar,
Athoor Taluk,
Dindigul District.
5. The Special Tahshildhar,
Special Tahshildhar ADW Unit 1,
Dindigul District.



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6. The Taluk Surveyor,
Athoor Taluk,
Dindigul District.

7. Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned eviction notice passed by the respondent no. 5 in Na.Ka.No.45/2024/A1 dated 28.02.2025 and quash the same as illegal and consequently direct the respondents 1 to 5 to consider the petitioner representation dated 10.03.2025 within a time stipulated by this Court.

For W.P(MD)No.7441 of 2025

Petchimuthu

... Petitioner

Vs

1. The District Collector,
Dindigul District.

2. The District Revenue Officer,
Dindigul District.

3. The Revenue Divisional Officer,
Dindigul,
Dindigul District.



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4. The Tahsildar,
Athoor Taluk,
Dindigul District.

5. The Special Tahshildhar,
Special Tahshildhar ADW Unit 1,
Dindigul District.

6. The Taluk Surveyor,
Athoor Taluk,
Dindigul District.

7. Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned eviction notice passed by the respondent No.5 in Na.Ka.No.45/2024/A1 dated 28.02.2025 and quash the same as illegal and consequently direct the respondents 1 to 5 to consider the petitioner representation dated 11.03.2025 within a time stipulated by this Court.

For Petitioner : Mr.K.Dinesh
(for both cases)

For Respondent : Mr.J.Ashok (R1 to R6)
Additional Government Pleader
(for both cases)

: Mr.N.Balasubramanian (R7)
(for both cases)



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COMMON ORDER

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[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The proceedings, dated 28.02.2025 issued for removal of encroachment of land allotted to Adi Dravidar Welfare is under challenge in the present writ proceedings.

2.Mere issuance of memo would be insufficient to evict the encroachers. The procedures as contemplated under the Tamil Nadu Land Encroachment Act, 1905 should be followed before evicting the encroachers from the Government land.

3.The learned Additional Government Pleader would submit that the subject land has been allotted for the welfare of the Adi Dravidar community people. The petitioners are the encroachers. After conducting survey, the authorities have initiated action and issued notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 to the petitioners.

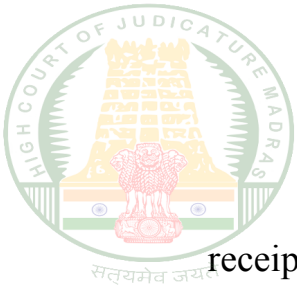


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4.A copy of the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act has been furnished before this Court. Notice was issued to other encroachers also.

5.The petitioners state that by issuing the impugned memo, the authorities have not provided an opportunity to the petitioners.

6.It is needless to state that an encroacher is also entitled for an opportunity to defend his case in the manner known to law. Now, the notice under Section 7 of the Tamil Nadu Land Encroachment Act has been issued. Thus, the petitioners are at liberty to submit all their documents along with the explanations if any to the Special Tahsildar, Adi Dravidar Welfare, Dindigul, within a period of ten days, from the date of receipt of a copy of this order. On receipt of any such explanation from the petitioners, the authority competent shall consider the same and thereafter, take a decision and pass orders under Section 6 of the Tamil Nadu Land Encroachment Act. Thereafter, if necessary, further enforcement action may be continued. The entire exercise is directed to be completed within a period of eight weeks, from the date of



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receipt of a copy of this order.

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7. With the above direction, these writ petitions stand disposed of.

There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [A.D.M.C., J.]
11.06.2025

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

LR

To

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Dindigul District.

2. The District Revenue Officer,
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4. The Tahsildar,
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and
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LR

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