



W.P(MD)No.9194 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.9194 of 2025
and
W.M.P(MD)No.6865 of 2025**

Ramesh

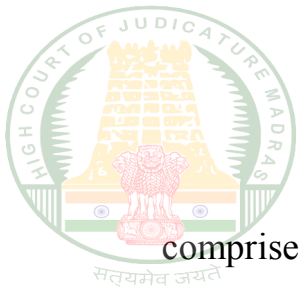
... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Thanjavur District.
- 2.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.
- 3.The Secretary,
Thennamanadu Village Panchayat,
Orathanadu Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned notice in Na.Ka.No.12055/2020/A2 on the file of the second respondent dated 24.03.2025 and to quash the same as illegal and consequently forbearing the respondents from in any way dispossessing the petitioner from his premises



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comprised in S.No.717/1 and 717/2 situated at Thennamanadu Vadakku Revenue Village, Orathanadu Taluk, Thanjavur District.

For Petitioner : Mr.V.Malaiyendran
For Respondents : Mr.K.Balasubramani
Special Government Pleader

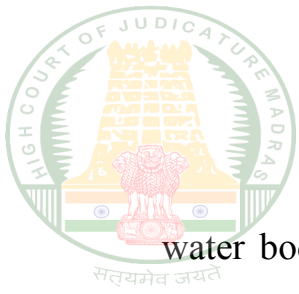
ORDER

Heard both sides.

2.The petitioner suffered an eviction order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. He was permitted to file an appeal. The appellate authority also dismissed the appeal. As a result, eviction proceedings are about to be enforced. That is under challenge in this Writ Petition.

3.The learned counsel appearing for the petitioner submitted that he may be given sometime to avail revisional remedy. He further alleged that the appellate authority did not apply her mind before dismissing the appeal.

4.We therefore decided to examine the issue on merits. It is not in dispute that the petitioner is in occupation of Survey Nos.717/1 and 717/2. We had a look at the revenue record. The said survey numbers had been clearly and categorically classified as “Kulam”. That the petitioner is in occupation of



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water body is beyond dispute; the petitioner is not having patta or any other revenue record in his favour. Therefore, the authorities were justified in proposing to evict him.

5.However, taking into account the fact that the petitioner has already put up a residence, he is granted exactly six month time from today (03.04.2025) to vacate. If the petitioner fails to vacate within the aforesaid time limit, without any notice to him, eviction order earlier passed can be enforced. That apart, the petitioner would be liable to face consequence of contempt of this Court also. The petitioner will be entitled to six months time to vacate provided he files an affidavit of undertaking before the jurisdictional Tahsildar within 10 days from the date of receipt of a copy of this order.

6.With the aforesaid observation, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
03.04.2025

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



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

MGA

To

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