



W.P.(MD)No.9430 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.04.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU  
AND  
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.9430 of 2025  
and  
W.M.P.(MD)No.7051 of 2025

R.S.Manoharan

...Petitioner

-Vs-

1.The Thasildar,  
Kulithalai Taluk,  
Tirchirapalli District.

2.C.Athchutharaman

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records relating to the impugned order made by the first respondent in Na.Ka.No.A2/4959 of 2024 dated 11.03.2025 and the impugned notice issued by the first respondent in Na.Ka.No.A4/4259/2024 dated 14.03.2025 and quash the same as illegal.

|                |                               |
|----------------|-------------------------------|
| For Petitioner | : Mr.M.Mahaboob Athiff        |
| For R1         | : Mr.S.S.Madhavan             |
|                | Additional Government Pleader |



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## **ORDER**

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

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

2.This writ petition is filed challenging the eviction notice issued by the first respondent.

3.The learned counsel for the petitioner submits that the petitioner has not made any encroachment as alleged by the respondents. The subject land is in occupation of the petitioner for several decades. He would further submit that the property in question is classified as Natham in the revenue records and the provisions of Land Encroachment Act cannot be invoked.

4.The learned Additional Government Pleader appearing for the respondents fairly submits that the property in question is classified as Natham in the revenue records and the first respondent has no jurisdiction to issue an order of eviction. He has also produced the 'A Register' in this regard.



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5.In view of the above submission, the proceedings impugned in this writ petition, dated 11.03.2025 and 14.03.2025 are set aside and this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

**(J.N.B.,J.) (S.S.Y.,J.)**  
**03.04.2025**

Index : Yes/No  
Internet : Yes/No  
ta

To

The Thasildar,  
Kulithalai Taluk,  
Tirchirapalli District.



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**J. NISHA BANU,J.**  
and  
**S.SRIMATHY.J**

ta

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