

W.P.(MD)No.10371 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.04.2025**

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**Writ Petition(MD)No.10371 of 2025
and
W.M.P(MD)No.7768 of 2025**

M.Rasammal

..Petitioner

Vs

- 1.The District Collector/Monitoring Committee,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Kulithalai Revenue Division,
Karur District.
- 3.The Tahsildar,
Kulithalai Taluk,
Karur District.
- 4.The Zonal Tahisildar,
Kulithalai Taluk,
Karur District.
- 5.The Revenue Inspector,
Kulithalai,
Karur District.

..Respondents



W.P.(MD)No.10371 of 2025

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's objection dated 18.03.2025 to rectify the defects crept in Natham Patta proceedings in Natham S.F.No. 135A of Rajendram South Village, Karungalapalli, Kulithalai Taluk, Karur District, with opportunity of personal hearing, for the notice dated 04.01.2025 in proceedings AThMu/ 02/ 2025 issued by the 5th respondent under Section 7 of Tamil Nadu Land Encroachment Act, 1905.

For Petitioner : Mr.A.N.Ramanathan

For Respondents : Ms.D.Farjana Ghoushia
Spl. Govt. Pleader

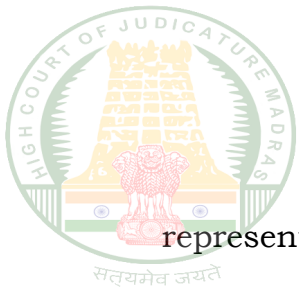
ORDER

DR.G.JAYACHANDRAN,J.

and

S.SRIMATHY,J.

The petitioner herein is granted patta in respect of Nanja land in S.F.No.135/A2 of Rajendram South Village, Karungalapalli, Kulthalai Taluk, Karur District. Claiming that she is the occupant of S.F.No.135A/2V1 and S.F.No.135A/2V2, she gave a representation on 18.03.2025 on receiving a notice under Section 7 of the Land Encroachment Act. Thereafter, the present writ petition is filed seeking a Mandamus to dispose of the



W.P.(MD)No.10371 of 2025

representation in accordance with law, after giving an opportunity of a personal hearing.

2. The learned Special Government Pleader appearing for the respondents states that the son of the petitioner is illegally occupying the Nanja land extending 50 square metres in S.F.No.135A/2Q, and a notice under Section 7 of the Land Encroachment Act was issued to show cause on or before 20.01.2025 why they are not removed from the illegal encroachment, for which the petitioner has given a belated objection under the form of representation.

3. It is contended by the learned counsel for the petitioner that the respondents have not so far evicted the petitioner, and therefore, before taking any action, their objection dated 18.03.2025 be considered.

4. This Court, on perusing the records, finds that the authorities have given a patta to the petitioner only in respect of S.F.No.135A/2U2 (Old S.No.135A/2U), whereas a Section 7 Notice was issued to Vijayakumar S/o Perumal, who is none other than the son of the petitioner, for occupying the land comprised in S.F.No.135A/2Q. The representation by this petitioner to the authorities is a form of an objection to the attempt to convert S.F.No. 135A/2Q into a cement road without a proper survey. This representation



W.P.(MD)No.10371 of 2025

is dated 18.03.2025, and this has no bearing on the show cause notice dated 04.01.2025 issued to Vijayakumar under Section 7 of the Land Encroachment Act.

5. This Court is of the view that there is no objection so far to the Section 7 Notice issued to Vijayakumar. Therefore, there cannot be any impediment for the authorities to proceed pursuant to the notice dated 04.01.2025, issued under Section 7 of the Land Encroachment Act. As far as the representation of the petitioner is concerned, it is open to the respondents to consider it, and if necessary, measure the field and take a decision as to whether the cement pathway has to be laid.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[G.J., J.]

[S.S.Y., J.]

skn

15.04.2025

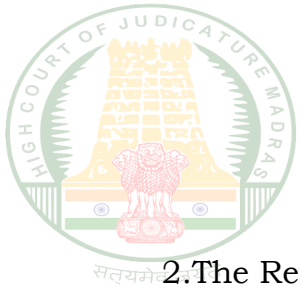
NCC : Yes/No

Index : Yes / No

Internet : Yes

To

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W.P.(MD)No.10371 of 2025

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