



W.P(MD)No.14493 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.05.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.14493 of 2025
and
W.M.P.(MD) Nos.10704 and 10707 of 2025**

Madhiyalagan

... Petitioner

vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram District.
- 3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.
- 4.Khyrathul Jamalia East Muslim Sangam,
represented by its Secretary,
Sadhik Ali

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorari, to call for the records pertaining the

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impugned notice issued by the 3rd respondent in Na.Ka.A3/2411/2025 dated 28.04.2025 and quash the same as illegal.

For Petitioner : Mr.K.Navaneetharaja
For R1 to R3 : Mr.D.Gandhiraj
Special Government Pleader

ORDER

(Order of the Court was made by S.SRIMATHY, J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2.Challenging the notice issued by the third respondent dated 28.04.2025, under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (*in short hereinafter referred to as 'the Act'*), this Writ Petition has been filed.

3.The impugned notice is one issued under Section 7 of the Act. It is in the nature of a show cause notice, calling upon the recipient to submit his explanation as to why further action under Section 7 of the Act, should not be initiated against him.



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4.It is a settled proposition of law that this Court, exercising its power under Article 226 of the Constitution of India, will not venture to interfere with a show cause notice, except under few exceptions. The grounds raised in the present writ petition do not fall under any of these exceptions.

5.However, the learned counsel appearing for the petitioner submits that the petitioner has already submitted his reply on 02.05.2025 before the third respondent stating that the land is classified as Natham land. However, without considering his objection, the respondents are taking steps to remove encroachment.

6.In the light of the said submission, the third respondent shall consider the objection submitted by the petitioner dated 02.05.2025 on its own merits, shall find out whether the land is classified as Natham and take further proceedings in accordance with law, after giving sufficient opportunity of hearing to the petitioner as well as any other persons, who are interested in the subject matter.



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7.With the above direction, the Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petitions are closed.

[S.S.Y.,J.] & [R.V.,J.]
21.05.2025

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

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To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram District.
- 3.The Tahsildar,
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S.SRIMATHY, J.
and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
W.P(MD) No.14493 of 2025

DATED : 21.05.2025