



W.P.(MD)No.17364 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.17364 of 2025

and

W.M.P.(MD)No.13234 of 2025

Vijaya

... Petitioner

Vs.

**1.The District Collector,
District Collector's Office,
Karur, Karur District.**

**2.The Tahsildar,
Taluk Office, Kadavur Taluk,
Karur District.**

**3.The Revenue Inspector,
The Revenue Inspector Office,
Mailampatti Kuruvattam, Kadavaur Taluk,
Karur District.**

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the 2nd respondent proceedings made in Na.Ka.A3/1211/2025, dated 17.06.2025 quash



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the same and further, to direct the 2nd respondent to issue patta in favour of the petitioner pertaining to the properties situated at Karur District, Kadavur Taluk, Melapaguthi Village, Melanaigoundenpatti, S.F.No.475/10, measurement 107 sq.ft, in the light of the petitioner's application dated 08.11.2021 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.H.Jahir Hussain

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ on hand has been instituted challenging the order passed by the 2nd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act').

2.The learned counsel appearing for the petitioner would submit that notice under Section 7 of the Act was issued to the petitioner, for which, she has submitted her explanation. However, the Tahsildar has not considered the explanation and passed an order under Section 6 of the Act. Therefore, the present Writ Petition came to be instituted.



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3.This Court is of the view that all such grounds may be raised before the appellate authority by preferring an appeal under Section 10 of the Act. High Court cannot adjudicate such disputed facts, which are to be considered based on the documents available on record. Therefore, granting liberty to the petitioner to prefer an appeal under Section 10 of the Act, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025

NCC : Yes / No
Index : Yes / No

Yuva

To

- 1.The District Collector,
District Collector's Office,
Karur, Karur District.
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Taluk Office, Kadavur Taluk,
Karur District.
- 3.The Revenue Inspector,
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AND

DR.A.D.MARIA CLETE, J.

Yuva

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