



W.P.(MD)No.18134 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.18134 of 2025

and

W.M.P.(MD)Nos.13882 & 13883 of 2025

Jesu

... Petitioner

Vs.

**1.The District Collector,
Tenkasi District, Tenkasi.**

**2.The Block Development Officer,
Vasudevanallur Panchayat Union,
Vasudevanallur, Tenkasi District.**

**3.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.**

**4.The Village Administrative Officer,
Ramasamiyapuram Village Panchayat,
Kadayanallur Taluk, Tenkasi District.**

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned eviction notice dated 19.06.2025 issued by the 3rd respondent and quash the same as illegal and consequently, to direct the respondents not to disturb the peaceful possession and enjoyment of house bearing D.No.5/133A situated at S.No.18/3I situated at Indra Nagar, Vellagoundanpatty Village, Kadayanallur Taluk, Tenkasi District till the disposal of main suit in O.S.No.12/2023 on the file of the Principal District Munsif Court, Sivagiri.

For Petitioner : Mr.T.Indrachithu

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 notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act').

2.No Writ is entertainable against such notice, since it is an opportunity provided to the encroacher under the provisions of the Act. Thus, the petitioner has to submit his explanation along with documents if any to the Tahsildar / 3rd



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respondent for consideration. The Tahsildar / 3rd respondent, on receipt of any such explanation, may consider the same and thereafter, pass an order under Section 6 of the Act and remove the encroachment if any identified.

3. With the above observation, this Writ Petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

(S.M.S., J.) & (A.D.M.C., J.)
03.07.2025

NCC : Yes / No
Index : Yes / No

Yuva

To

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AND

DR.A.D.MARIA CLETE, J.

Yuva

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