



W.P(MD)No.18853 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.18853 of 2025
and
W.M.P.(MD) No.14484 of 2025**

Loganathan

... Petitioner

Vs

1. The District Collector / Monitoring Committee,
Madurai District,
Madurai.

2. The Tahsildhar,
O/o. Tahsildhar,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Form-6 notice dated 16.04.2025 issued by the 2nd respondent and quash the same as illegal and consequently directing the 2nd respondent not to demolish the house of the petitioner bearing Survey No. 174/17 situated at Chockkadevanpatti, Adi-Dravidar colony, Usilampatti Taluk, Madurai District.



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For Petitioner : Mrs.A.Rajini,
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

Final notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 is under challenge in the present writ proceedings.

2.Disputed facts relating to title or ownership cannot be adjudicated in a writ proceedings, nor the documents or pleadings made by the writ petitioner alone can be considered for the purpose of granting relief more specifically in the matter relating to civil rights.

3.In the present case, the revenue authorities have initiated action to remove the encroachments. Based on the revenue records, a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 was issued and after providing opportunity, final notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 was issued to the petitioner.



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4.Thus, the petitioner may prefer an appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905. Granting liberty to prefer an appeal, the present writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
14.07.2025

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

LR

To
1. The District Collector / Monitoring Committee,
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Madurai.

2. The Tahsildhar,
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

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