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W.P.(MD)NO.19668 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.19668 of 2025 AND

W.M.P.(MD)Nos.15123 & 15124 of 2025

Palthayammal

... Petitioner

Vs.

1. The District Collector-cum-Monitoring Committee,
Theni District.

2. The Revenue Divisional Officer,
Uthamapalayam Taluk,
Theni District.

3. The Tahsildar,
Uthamapalayam Taluk,
Theni District.

4. The Revenue Inspector,
Erasakkanaickanur,
Uthamapalayam Taluk,
Theni District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Certiorari, to call for the records pertaining to the impugned notice issued by the fourth respondent and its consequential notice dated 08.07.2025 issued by the third respondent and quash the same as illegal.



For Petitioner : Mr.M.Ramesh

WEB COPY For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate.

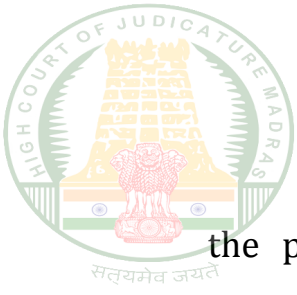
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ORDER

Heard both sides.

2. The petitioner challenges the order passed by the third respondent under Section 6 of the Tamil Nadu Land Encroachment Act 1905. According to the third respondent, the petitioner had put up a house in survey No.182 which is admittedly a water body. According to the writ petitioner, her house is located in survey No.183 which is not a water body.

3. We therefore direct the third respondent to conduct fresh survey after giving notice to the petitioner herein. If the result of the survey indicates that the petitioner's house is in survey No.183, it will be spared and if it is found to be in survey No.182, then it has to be necessarily demolished. The impugned order under Section 6 of the Act will abide by the outcome of the survey which shall be held in



the petitioner's presence. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
24th July 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

To:

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Theni District.
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Theni District.
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Uthamapalayam Taluk,
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WEB COPY



4

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AND

B.PUGALENDHI, J.

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