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**W.P.(MD) No.20070 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 23.07.2025**

**CORAM:**

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

**W.P.(MD) No.20070 of 2025**

**and**

**W.M.P.(MD) No.15442 of 2025**

M.Kannan

... Petitioner

-VS-

- 1.The Commissioner  
Madurai Corporation  
Arignar Anna Maligai  
Madurai-625 002
- 2.The Assistant Commissioner  
Zone-1, East,  
Madurai Corporation  
Moondrumavadi  
K.Pudur, Madurai-625 007
- 3.The District Revenue Officer  
Madurai District  
Madurai

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue



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a writ of certiorari to call for the entire records relating to the impugned order dated 11.07.2025 vide file No.Ma1U2/425/2025 passed by the 2<sup>nd</sup> respondent and set aside the same as illegal and without considering the Civil Court Decree and Judgement passed in O.S.No.3 of 2008 dated 21.06.2011 by the District Munsif, Madurai Taluk at Madurai and all relevant records.

For Petitioner : Mr.Babu Rajendran

For Respondents : Mr.S.Vinayak for R1 & R2  
Mr.S.P.Maharajan  
Special Government Pleader for R3

**ORDER**

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

The final notice issued for removal of the encroachment by the second respondent vide proceedings dated 11.07.2025 is under challenge in this writ petition.

**2.** The petitioner was identified as an encroacher of Corporation property and therefore, enforcement actions were initiated. However, eviction is prolonged and protracted for more than 12 years. Earlier, one writ petition was filed and sufficient opportunity was provided to the encroachers to defend



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their case. The neighbour of the petitioner has secured a civil Court decree. However, that will not be of any avail to the petitioner to encroach upon the Corporation land, since there is an express bar under Section 14 of the Tamil Nadu Land Encroachment (Amendment) Act, 1995.

**3.** Since enforcement actions have already been commenced and sufficient opportunity was provided to the petitioner to defend his case, no further adjudication needs to be undertaken. Therefore, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**[S.M.S., J.]**

**[A.D.M.C., J.]**

**23.07.2025**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Madurai District,  
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