



W.P.(MD)No.19984 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.19984 of 2025

and

W.M.P.(MD)Nos.15384 & 15385 of 2025

D.Umasakthi

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Virudhunagar District.
- 2.The Block Development Officer,
Sivakasi Panchayat Union,
Virudhunagar District.
- 3.The Tahsildar,
Office of the Tahsildar,
Sivakasi, Virudhunagar District.

4.V.Gayathiri

...Respondents

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 notices issued by the 3rd respondent in his proceedings in Na.Ka.A.



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1/3-38-2025, dated 11.07.2025 and Na.Ka.A.1/3-24/2024, dated 14.07.2025 and to quash the same and consequently, directing the respondents, their men and agents not to interfere with the peaceful possession and enjoyment of the petitioner.

For Petitioner : Mrs.P.Jessi Jeeva Priya
For R1 to R3 : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

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

The inter departmental communication between the Revenue Tahsildar, Sivakasi Taluk and the Block Development Officer, Sivakasi Panchayat Union is under challenge in this Writ Petition.

2.The Tashildar has addressed a letter to the Block Development Officer, Inspector of Police, Assistant Executive Engineer and Fire Station Officer to provide protection for the purpose of removing the encroachment. The said letter came to be challenged in the present Writ Petition. The implementation order passed by the Revenue Tahsildar to carry out the eviction proceedings already passed would not provide any cause for filing the Writ Petition.



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3. Admittedly, survey was conducted, encroachments are identified and thereafter, notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') was issued in proceedings dated 01.04.2025. The petitioner has also submitted her representation thereafter. The final notice under Section 6 of the Act was issued on 07.05.2025. Thereafter, the authorities competent have initiated action to remove the encroachment by fixing the date as 22.07.2025 (today). Thus, this Writ Petition came to be instituted, challenging the said communication of the Tahsildar to other officials for the purpose of removing the encroachment.

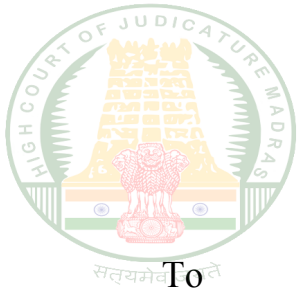
4. This Court do not find any merits, since sufficient opportunity under the Act had already been provided to the petitioner. That being so, this Writ Petition is devoid of merits and the same stands dismissed. If at all the petitioner is aggrieved, she can prefer an appeal under the Act. No costs. Consequently, connected miscellaneous petitions are closed.

**(S.M.S., J.) & (A.D.M.C., J.)
22.07.2025**

NCC : Yes / No
Index : Yes / No

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S.M.SUBRAMANIAM, J.

AND

DR.A.D.MARIA CLETE, J.

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