



W.P(MD)No.21740 of 2025

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

WEB COPY

**DATED : 08.08.2025**

**CORAM:**

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

**W.P(MD)No.21740 of 2025  
and  
W.M.P.(MD) No.16836 of 2025**

1. Rahmath Afila

2. Farhath Risfiya

... Petitioners

**Vs**

1. The District Collector,  
Ramanathapuram District.

2. The Tahsildar,  
Keelakarai Taluk,  
Ramanathapuram District.

3. The Zonal Deputy Surveyor,  
Ramanathapuram District.

4. The Commissioner,  
Keelakarai Municipality,  
Ramanathapuram District.

5. S.Syed Abuthahir

... Respondents



W.P(MD)No.21740 of 2025

**WEB COPY PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned notice dated 18.07.2025 in Na.Ka.No. 250/2024/F1 passed by the 4th respondent and quash the same.

For Petitioner : Mr. N.Gurusamy  
For Respondent : Mr.V.Om Prakash (R1-R3)  
Government Advocate  
: Mr.K.Saravanan (R4)

### **ORDER**

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

The final notice issued under Section 12 of the Tamil Nadu Urban Local Bodies Act by the Commissioner, Keelakarai Municipality is under challenge in the present writ proceeding.

2.The learned Counsel for the petitioners would submit that no sufficient opportunity was granted to the petitioners.



W.P(MD)No.21740 of 2025

WEB COPY

3.However, the learned Counsel for the respondent Municipality would oppose by stating that show cause notice was issued to the petitioners on 09.04.2025. In response to the notice, the petitioners submitted their explanations, but the petitioners have not submitted any document to establish their right. The fifth respondent herein earlier filed a writ petition in W.P(MD)No.15653 of 2025. This Court passed final orders on 10.07.2025 granting liberty to the parties to submit their documents and on receipt of explanation, if any, the authorities may take a final decision. In spite of that, the petitioners have not produced any document to establish their right. While so, the Commissioner, Keelakarai Municipality has issued final notice vide proceeding dated 18.07.2025 which came to be challenged.

4.Encroachers/owners or occupiers of unauthorized constructions are in the practice of filing multiple writ petitions to protect the illegal constructions and to continue in possession in respect of encroached Government lands. Once an opportunity has been provided to the encroachers/owners or occupiers of the unauthorized constructions, they are at liberty to submit the documents to the authorities. If the authorities



W.P(MD)No.21740 of 2025

are not satisfied with the document and took a final decision, thereafter further litigation on the said notice is not entertainable.

5.In the present case, notice was issued on 09.04.2025 and the petitioners have submitted their explanations without any document. In the absence of document, the authorities formed an opinion that the encroachments are to be removed. Consequently, final impugned notice has been issued. That being the factum, the petitioners have not established any right for the purpose of entertaining the writ petition. Thus the authorities shall proceed with the further encroachment actions.

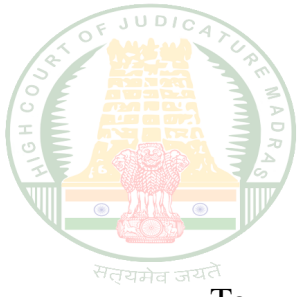
6.Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**[S.M.S., J.]      [A.D.M.C., J.]**  
**08.08.2025**

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

LR

4/6



W.P(MD)No.21740 of 2025

WEB COPY

To

1. The District Collector,  
Ramanathapuram District.

2. The Tahsildar,  
Keelakarai Taluk,  
Ramanathapuram District.

3. The Zonal Deputy Surveyor,  
Ramanathapuram District.



WEB COPY



W.P(MD)No.21740 of 2025

**S.M.SUBRAMANIAM, J.**  
**and**  
**DR.A.D.MARIA CLETE, J.**

LR

**W.P(MD)No.21740 of 2025**

**08.08.2025**