



W.P.(MD) No.23058 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

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Ganesan

... Petitioner

-VS-

1.The Tahsildar
Watrap, Virudhunagar

2.The Block Development Officer
Watrap Panchayat Union Office
Watrap, Virudhunagar District

3.The Executive Officer
S.Kodikulam
Watrap Taluk
Virudhunagar District

4.R.Ravichandran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records pertaining to the order passed by the first respondent in Naa.Kaa.No.A4/3270/2024, dated 17.07.2025 and quash it as illegal.



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For Petitioner : Mr.K.Raghul Priyan

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R1 & R2
Mr.J.Ashok
Additional Government Pleader for R3

ORDER

[Order of the Court was made by G.ARUL MURUGAN, J.]

Heard the learned counsel for the petitioner and the learned Additional Government Pleaders appearing for the respondents 1 & 2 and 3 respectively

2. This writ petition is filed challenging the order dated 17.07.2025 passed by the first respondent.

3. The officials conducted an inspection on 27.01.2025 and found that encroachments have been made in the property in Survey No.753/32. After identifying the encroachments, a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, came to be issued. Thereafter, based on the reply submitted by the petitioner, a final notice under Section 6 of the



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Tamil Nadu Land Encroachment Act, 1905, was issued on 02.06.2025. Pursuant to the final notice, the officials fixed the date on 26.06.2025 for enforcing the Section 6 notice and to remove the encroachments.

4. At this stage, the petitioner had submitted a representation seeking ten days time to remove the encroachments. Since the petitioner did not come forward to remove the encroachments as submitted by him, the present impugned notice dated 17.07.2025 came to be issued instructing the subordinates to take appropriate action and remove the encroachments as identified, which form part of Section 6 notice. At this juncture, the petitioner has come up with this writ petition challenging the notice, which has been issued in consequence to the Section 6 notice, where after the petitioner even by seeking ten days time did not come forward to remove the encroachment.

5. We see no reason to entertain this writ petition, in view of the categorical submissions made by the petitioner to remove the encroachments and sought ten days time.

6. When the appeal remedy is available to the petitioner under



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Section 10 of the Tamil Nadu Land Encroachment Act, 1905, it is open to him to exhaust the remedy of appeal before the competent authority.

7. It is also made clear that if any assistance is required by the revenue officials for removal of encroachments in the subject property, the police authorities are directed to extend such protection in order to enforce the Section 6 notice for removing the encroachments.

8. With the above observations, this writ petition is dismissed. No costs.

[S.M.S., J.]

[G.A.M., J.]

26.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Tahsildar,
Watrap,
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3.The Executive Officer,
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