



W.P(MD)No.30763 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.10.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.30763 of 2025
and
W.M.P.(MD)No.23895 of 2025

M.Gomathi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Ramanathapuram District.

2.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

3.R.Pathinettan

4.A.Ramu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.P9/3370/2024 dated 15.10.2025 on the file of the respondent No.2 and quash the same as illegal and consequently directing the Respondent



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No.2 to not to disturb the petitioner's agricultural Patta land situated in Survey Nos.47/5A, 47/5B, 47/3A1 and 47/3A2, Surankottai Village, Ramanathapuram Taluk, Ramanathapuram District.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 & R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the respondents 1 and 2.

2.The petitioner challenges the impugned notice dated 15.10.2025 issued by the Tahsildar, Ramanathapuram calling upon the petitioner to remove the encroachments in question. It is seen that the petitioner has already filed an appeal before the District Collector under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 challenging the order passed by the Tahsildar under Section 6 of the Act. The appellate authority is seized of the matter. Final order is yet to be passed. If in the meanwhile, the eviction order is enforced, the appeal will become infructuous. We will not fault the Tahsildar. One Ramu / fourth



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respondent herein had earlier filed W.P.(MD)No.12999 of 2025.

Recording the stand of the respondents that eviction notices have been issued, we disposed of the said writ petition with a direction that the exercise of removing of encroachments shall be completed within a period of eight weeks. Probably pursuant to the said direction, the impugned notice has been issued. Now that, we have been apprised of all the facts, we direct that the impugned notice shall be put on hold and not enforced for a period of four months. The District Collector / Appellate Authority shall dispose of the writ petitioner's appeal on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S.J.) & (B.P.J.)
30.10.2025

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



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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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