



W.P.(MD)No.32817 and 32826 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**  
AND  
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)Nos.32817 and 32826 of 2025  
and

W.M.P.(MD)Nos.25885, 25886, 25892 & 25893 of 2025

V.R.S.Balasubramanian,  
Represented by its Secretary,  
Keelapoongudi Sri Muthuveerayee Ambal  
Alaya Vazhipattulargal Trust.

... Petitioner in WP(MD)No.32817/25

Lakshmi

... Petitioner in WP(MD)No.32826/25

/Vs./

1. The District Collector,  
Collectorate Office,  
Sivagangai District.

2. The Tahsildar, Taluk Office,  
Karaikudi Taluk, Sivagangai District.

3. S.Amsavalli ... Respondents in both petitions

PRAYER in W.P.(MD)No.32817 of 2025:- Writ Petition - filed under



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Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the Impugned Eviction Notice dated 18.04.2025 issued by the 2nd Respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 in continuation of the show-cause notice Na.Ka.A5/5611/2024 dated 06.01.2025 of the 2nd Respondent and quash the same as illegal and for other reliefs.

PRAYER in W.P.(MD)No.32826 of 2025:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the Impugned Eviction Order in Na.Ka.A5/5611/2024 dated 07.08.2025 passed by the 2nd Respondent and quash the same as illegal and for other reliefs.

Appearance in both petitions:-

|                 |                                                                                                                                                                                       |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For Petitioners | : Mr.M.Giri<br>for Mr.A.Ajithi Prakash                                                                                                                                                |
| For Respondents | : Mr.J.Ashok (R1 & R2)<br>Additional Government Pleader<br>(in W.P.(MD)No.32817 of 2025)<br>Mr.M.Sarangan (R1 & R2)<br>Additional Government Pleader<br>(in W.P.(MD)No.32826 of 2025) |



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**COMMON ORDER**

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

A common order is passed in both these writ petitions, seeing as the challenge is to orders under Section 6 of the Land Encroachment Act, 1905 ('Act').

2. WP(MD)No.32817 of 2025 is filed by the trustees of the temple and WP(MD)No.30826 of 2025 is filled by an individual. The grounds of challenge are stated to be different.

3. Mr.A.Ajithi Prakash, learned counsel on record makes an endorsement withdrawing the writ petitions, recording which, the writ petitions and connected miscellaneous petitions are dismissed as withdrawn, though with liberty to the petitioners to move the appellate authorities by way of statutory appeal under Section 10 of Act.

4. The impugned orders passed under Section 6 of the Act are dated 18.04.2025 and 07.08.2025 and hence, period of appeal is long gone.

5. Having regard to the submission of Mr.M.Giri, who appears for the petitioner to the effect that the trustees are aged, the appeal, if



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filed within a period of two weeks from today, shall be taken on file by the registry of the District Collector without reference to limitation, but ensuring compliance with all other requisite statutory conditions. They are also granted liberty to move for interim protection in terms of Section 10B of the Act, if so advised.

6. Having regard to the aforesaid circumstances, if a petition for interim protection is filed, let it be taken up for hearing and disposed within a period of six weeks from the institution thereof, in accordance with law and in line with the principles of natural justice. No costs.

**[A.S.M.J.,] & [C.K.J.,]  
17.11.2025**

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



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WEB COPY To

1. The District Collector,  
Collectorate Office,  
Sivagangai District.
2. The Tahsildar, Taluk Office,  
Karaikudi Taluk,  
Sivagangai District.



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**DR.ANITA SUMANTH, J.**  
**AND**  
**C.KUMARAPPAN, J.**

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Common Order made in  
W.P.(MD)No.32817 and 32826 of 2025

Dated:  
17.11.2025