



W.P.(MD)No.33548 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2025

CORAM:

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

W.P.(MD)No.33548 of 2025
and
W.M.P(MD)No.26467 of 2025

Ayyanar

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Thasildar,
Melur Taluk,
Madurai.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the second respondent from take any action on basis of notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 dated 16.10.2025 which was pasted on the petitioner's house on 25.10.2025 till disposal of the appeal dated 30.10.2025 preferred by the petitioner under Section 10- A of the



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Tamil Nadu Land Encroachment Act, 1905 which is pending on the file of the first respondent.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.S.P.Maharajan (R1 & R2)
Special Government Pleader

ORDER

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

The petitioner reports that under the order passed in W.P(MD)No.30848 of 2025, dated 30.10.2025, he had challenged an order issued by the Tahsildar, Melur Taluk, Madurai, dated 16.10.2025.

2.The impugned order was one passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (in short 'Act'). The Writ Petition came to be dismissed as not maintainable, as this Court was given to understand that the petitioner had already approached the appellate authority by way of a statutory appeal under Section 10-A of the Act. The Court also noted that he may obtain necessary interim order in that regard from the authority. This order was passed on 30.10.2025.

3.Now a fresh Writ Petition has been filed seeking a Mandamus forbearing R2 from taking any action on the basis of the very



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same order that had been challenged earlier in WP(MD)No.30848 of 2025.

4.The learned counsel for petitioner says that the appeal under Section 10-A of the Act is being filed only now, and that the submission made earlier, that the appeal had already been filed, was incorrect.

5.In any event, we see no avenue to issue Mandamus as sought for, as it is for the petitioner to obtain necessary redressal including interim protection, before the appellate authority. We solely tempted to put the petitioner to terms for repeatedly approaching this Court with unnecessary litigation, but we desist. The Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
21.11.2025

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

To

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