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W.P.(MD) No.35749 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.P.(MD) No.35749 of 2025
and
W.M.P.(MD) Nos.28355 & 28356 of 2025**

Lakshmi

... Petitioner

-VS-

- 1.The District Collector
Ramanathapuram
Ramanathapuram District
- 2.The II Class Executive Magistrate
cum Tahsildar
Kadaladi
Ramanathapuram District
- 3.The Executive Officer
Sayalkudi Town Panchayat
Ramanathapuram District
- 4.Mariyammal
- 5.Karpagam



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6.Gandhimathi

7.Packiyalakshmi

8.Muniasamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records relating to the impugned order issued by the first respondent in Na.Ka.B3/23259/2023, on 20.11.2025, consequently notice sent by the second respondent in Na.Ka.B3/617/2018, dated 25.11.2025 and quash the same as illegal.

For Petitioner : Mr.G.Ganesh Kumar

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader for R1 & R2
Mr.S.P.Maharajan for R3

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

Mr.S.R.A.Ramachandran, learned Additional Government Pleader, takes notice for the respondents 1 & 2 and Mr.S.P.Maharajan, learned counsel, takes notice for the third respondent.



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2. The petitioner herein claiming absolute ownership in respect of the property in Survey No.185/4 of Sayalkudi Group / Sub Division, Kadaladi Taluk, Ramanathapuram District, measuring an extent of 0.17.5 Ares is before this Court challenging the proceedings of the District Collector dated 20.11.2025 as well as the proceedings of the second respondent dated 25.11.2025.

3. The subject land is a Government Poramboke land, wherein the encroachers had put up a shopping complex and were enjoying it for a quite some. Earlier, notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, were caused to the encroachers and the same was challenged by them before this Court in W.P.(MD) No.24439 of 2023 and this Court, by an order dated 13.10.2025, had directed the writ petitioners to prefer appeal before the District Collector concerned for effective adjudication of all the issues on merits. Pursuant to the said direction, the encroachers approached the District Collector by way of appeal and the District Collector, after adjudication of the issues, issued the proceedings dated 20.11.2025, which is impugned in this writ petition.



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4. We find from the records that after issuance of the proceedings dated 20.11.2025 by the first respondent, the second respondent has also issued a proceedings dated 25.11.2025 to the petitioner, who is in illegal occupation of the Government land.

5. Learned counsel for the petitioner would submit that the proceedings of the District Collector dated 20.11.2025 and the proceedings of the second respondent dated 25.11.2025 were issued behind the back of the petitioner herein and the respondents 5 to 8 are the erstwhile owners of the subject property, who sold the same to the petitioner herein through a registered deed and therefore, the impugned proceedings are to be quashed.

6. Learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that the illegal occupants of the Government Poramboke land, who make untenable contentions one after another, are squatting over the subject property. In the earlier round of litigations i.e., in W.P.(MD) No.21286 of 2023 and W.P.(MD) No.24439 of 2023, *vide* orders dated 31.08.2023 and 13.10.2023 respectively, this Court has held that the occupants are encroachers and they must be evicted by following due process



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of law. Therefore, having the due process of law been followed by the respondents, there is no merit in the present writ petition. This Court is satisfied with the defence raised by the Government. Admittedly, being a poramboke land, the inter transfer of the subject property by way of a registered deed will not enure any title to the petitioner herein.

7. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] [K.K.R.K., J.]

15.12.2025

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

krk

To:

- 1.The District Collector,
Ramanathapuram,
Ramanathapuram District.
- 2.The II Class Executive Magistrate
cum Tahsildar,
Kadaladi,
Ramanathapuram District.



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