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W.P.(MD) No.36047 of 2025 etc. batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2025

CORAM:

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

**W.P.(MD) Nos.36047, 36048, 36049, 36050, 36051, 36052 & 36053 of
2025
and
W.M.P.(MD) Nos.28647, 28650, 28652, 28646, 28648, 28651, 28693,
28694, 28695, 28661, 28662, 28664, 28656, 28657, 28658, 28653,
28654, 28655, 28699, 28700 & 28701 of 2025**

W.P.(MD) No.36047 of 2025:

A.Natarajan

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503

2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
Mani Nagar
Paramakudi-623 707

3.The Thasildar
Kadaladi Taluk
Kadaladi
Ramanathapuram District-623 703

... Respondents



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W.P.(MD) No.36047 of 2025 etc. batch

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order passed by the third respondent in Na.Ka.P3/7374/2024, dated 03.11.2025 and quash the same as illegal and unconstitutional and consequently directing the respondents to not to disturb the peaceful, passive residence and survival of the petitioner in Survey No.607/12, Aapanoor Group.

For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader

W.P.(MD) No.36048 of 2025:

A.Murugesan

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503

2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
Mani Nagar
Paramakudi-623 707



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3.The Thasildar
Kadaladi Taluk
Kadaladi
Ramanathapuram District-623 703

... Respondents

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For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader

W.P.(MD) No.36049 of 2025:

A.Rathnavelu

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503



W.P.(MD) No.36047 of 2025 etc. batch

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2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
Mani Nagar
Paramakudi-623 707

3.The Thasildar
Kadaladi Taluk
Kadaladi
Ramanathapuram District-623 703

... Respondents

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For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader

W.P.(MD) No.36050 of 2025:

A.Muruganathan

... Petitioner

-vs-



W.P.(MD) No.36047 of 2025 etc. batch

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1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503

2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
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Paramakudi-623 707

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Ramanathapuram District-623 703

... Respondents

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For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader



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W.P.(MD) No.36051 of 2025:

T.Navaneetha Krishnan

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503

2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
Mani Nagar
Paramakudi-623 707

3.The Thasildar
Kadaladi Taluk
Kadaladi
Ramanathapuram District-623 703

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order passed by the third respondent in Na.Ka.P3/7374/2024, dated 03.11.2025 and quash the same as illegal and unconstitutional and consequently directing the respondents to not to disturb the peaceful, passive residence and survival of the petitioner in Survey No.607/12, Aapanoor Group.



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For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader

W.P.(MD) No.36052 of 2025:

A.Jaihindh Nathan

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503

2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
Mani Nagar
Paramakudi-623 707

3.The Thasildar
Kadaladi Taluk
Kadaladi
Ramanathapuram District-623 703

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order passed by the third respondent in Na.Ka.P3/7374/2024, dated 03.11.2025 and quash the same as illegal and unconstitutional and consequently directing the respondents to not to disturb the peaceful, passive



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residence and survival of the petitioner in Survey No.607/12, Aapanoor Group.

For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader

W.P.(MD) No.36053 of 2025:

L.Panjavarnam

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram-623 503

2.The Sub Collector
Office of the Sub Collector
Madurai Main Road
Mani Nagar
Paramakudi-623 707

3.The Thasildar
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dated 03.11.2025 and quash the same as illegal and unconstitutional and consequently directing the respondents to not to disturb the peaceful, passive residence and survival of the petitioner in Survey No.607/12, Aapanoor Group.

For Petitioner : Mr.K.Shanmuga Raja

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader

COMMON ORDER

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

Mr.D.Sasi Kumar, learned Additional Government Pleader, takes notice for the respondents.

2. Being aggrieved by the orders, dated 03.11.2025, passed by the third respondent, under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, directing the petitioners herein to remove the encroachments made by them in the subject land, these writ petitions have been filed, on the ground that adequate opportunity was not given to them before passing the impugned orders.



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3. Learned counsel for the petitioners would submit that when the villagers opposed the illegal business run by a bootlegger, she submitted a representation to the respondents seeking to remove the encroachments made in the subject land and since the said representation was not considered by the respondents, she filed a writ petition before this Court in W.P.(MD) No. 4198 of 2025 seeking a direction to the respondents to remove the encroachments made in the subject land by considering her representation and this Court, by an order dated 18.03.2025, directed the respondents to consider the said representation and pass orders on merits and in accordance with law by giving an opportunity of personal hearing to the petitioner in the said writ petition as well as the aggrieved persons within a period of twelve weeks from the date of receipt of a copy of the order. Though this Court, in the said order, had specifically directed the respondents to afford an opportunity to the aggrieved persons as well, the respondents have not given any opportunity to the petitioners herein, who are all the aggrieved persons, enabling them to submit their explanation.



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4. Learned Additional Government Pleader appearing for the respondents submitted that before proceeding with passing of the impugned orders dated 03.11.2025 under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, adequate notices were issued to the petitioners and orders were passed on 10.05.2025 after due enquiry and thereafter, notices, under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, were issued on 18.09.2025 to the petitioners calling upon them to submit their explanation on or before 17.10.2025 as to why the encroachments made by them should not be removed and therefore, only after following the procedures as contemplated under the Tamil Nadu Land Encroachment Act, 1905, the impugned orders have been passed and it is incorrect on the part of the petitioners to say that adequate opportunity was not given to them before passing the impugned orders under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

5. This Court, on perusing the records, finds that the action to remove the encroachments has been emanated from the order, dated 18.03.2025, passed in W.P.(MD) No.4198 of 2025 and thereafter, after causing notices under Section 7 of the Tamil Nadu Land Encroachment Act,



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1905, giving opportunity to the petitioners to show cause as to why the encroachments made by them should not be removed, the present impugned orders under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, have been passed.

6. At this juncture, learned counsel for the petitioners submitted that the petitioner in W.P.(MD) No.4198 of 2025, namely, K.Parvathy, is also one of the encroachers in the subject land.

7. In response to the said submission, learned Government Pleader appearing for the respondents submitted that if the petitioner in W.P. (MD) No.4198 of 2025 is also one of the encroachers, she will also be issued a notice and necessary steps will be taken by the respondents for removal of the encroachment alleged to have been made by her in the subject land.

8. Taking into consideration the above submissions, this Court is of the view that the impugned orders have been passed by the third respondent only after affording an opportunity to the petitioners and therefore, there is no merit in these writ petitions.



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9. Accordingly, these writ petitions are dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

[G.J., J.]

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

17.12.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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- 3.The Thasildar,
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DR.G.JAYACHANDRAN, J.
AND
K.K.RAMAKRISHNAN, J.

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