



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

**WP Nos. 1681,1684, 1689, 1693, 1696, 1697,
1701, 1702, 1705, 1707, 1711, 1712 & 1715 of 2026**

and

**WMP.Nos.1737, 1738, 1744, 1755, 1756, 1758, 1762, 1764,
1768, 1770, 1775, 1777, 1782, 1789, 1790 & 1792 of 2026**

Suriya Banu	. Petitioner in W.P.No.1681 of 2026
S.Murali	. Petitioner in W.P.No.1684 of 2026
G.Rajini Gokulram	.. Petitioner in W.P.No.1689 of 2026
K.Janaki	.. Petitioner in W.P.No.1693 of 2026
R.Vasanth	.. Petitioner in W.P.no.1696 of 2026
K.Rukmani	.. Petitioner in W.P.No.1697 of 2026
P.Poovathal	.. Petitioner in W.P.No.1701 of 2026
R.Padmavathi	.. Petitioner in W.P.No.1702 of 2026
R.Pascalmary	..Petitioner in W.P.No.1705 of 2026
M.Pushparani	.. Petitioner in W.P.No.1707 of 2026
A.Sakthi Vadivel	. Petitioner in W.P.No.1711 of 2026
S.Prabhu	.. Petitioner in W.P.No.1712 of 2026
D.Arulanantham	.. Petitioner in W.P.No.1715 of 2026

Vs.

1. The Director,
Directorate of Municipal Administration,
No.75, Urban Admin Building,
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai 600 028.
 2. The Regional Director,
O/o.Regional Director of Municipal Administration,
No.48, Marudhasalapuram Main Road,
Kumaranathapuram,
Thiruppur.
 3. The Commissioner,
Mettupalayam Municipality,
Mettupalayam, Coimbatore District.
- .. Respondents in all W.Ps.



Prayer in all W.Ps.: This Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Certiorari, calling for the records in Na.Ka.No.2682/2006/A1 dated 03.11.2025 on the file of the 3rd respondent and quash the same.

In all W.Ps.

For Petitioner : Mr.R.Rajarajan

For Respondents : Dr.T.Seenivasan

COMMON ORDER

Heard Mr.R.Rajarajan, learned counsel for the petitioners and Dr.T.Seenivasan learned counsel for the respondents.

2. The issue raised in all the writ petitions is one and the same. Hence, they are clubbed together. I heard and also disposing them by this common order.

3. The petitioners are occupants of residential units belonging to the third respondent Municipality. They were put in possession of the property pursuant to the order passed by the third respondent atleast five decades ago.



Sometime in 1997, the third respondent decided to alienate the property in favour of the occupants. The said proceedings was never given effect to.

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4. The petitioners continue to reside in the property and claim to have been paying the rent without any default. The petitioners were served with the order on 08.09.2025 calling upon them to vacate and hand over the premises within 30 days from the date of receipt of the order. Several of the occupants challenged the same by way of writ petitions. The lead case in the batch of writ petitions was W.P.No.36378 of 2025. By an order dated 26.09.2025, I quashed the proceedings, holding that the petitioners continued to be the tenants and they cannot be evicted by issuance of a notice.

5. I called upon the Municipality to evict the petitioners in the manner known to law. It was a mere indication in the order that the Municipality can resort either to the Tamil Nadu Urban Local Bodies Act, 1998 or to the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975. The choice of the legislation that the Municipality wants to invoke is absolutely within the jurisdiction of the Commissioner.



6. Be that as it may, the petitioners have again been visited with the impugned order stating that unless and until they comply with the certain demands made therein, the premises of the petitioners would be locked and sealed. Hence, all the petitioners are before this Court.

7. As long as the lease amount is being paid and the relationship of lessor and lessee continues, the Municipality can take possession of the property only in the manner known to law. Letters issued by the authority for eviction do not pass muster.

8. When these aspects were pointed out, Dr.Seenivasan sought time to get instructions from the Commissioner. The matter was kept back for getting instructions. Post-lunch, when the matter was called. Dr.Seenivasan produced a letter stating that all the impugned orders in the writ petitions are withdrawn. An Indication has been given that the Municipality would proceed either under the Land Encroachment Act or under the Public Premises Act.

9. A reading of Sections 6 & 7 of the Tamil Nadu Land Encroachment Act shows that the said provisions apply only to unauthorised occupants of land, which is not the situated here. The petitioners are occupants of the



land and building. It is left open to the Municipality to initiate such proceedings as it is empowered to do under law. As Dr. Seenivasan states that the impugned order has been withdrawn, the same is recorded.

10. In view of the above, these writ petitions are disposed of accordingly. Consequently, connected miscellaneous petitions are closed.

No costs.

23.01.2026

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
kkd

To

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V.LAKSHMINARAYANAN J.

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