



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**W.P. No. 1080 of 2026
and W.M.P.No.1258 of 2026**

K.Balasubramaniam,
S/o.Kandhan,
Kamarajar Colony,
Bhavani Main Road,
Appakudal, Sakthinagar,
Erode.

..Petitioner(s)

Vs

1. The District Collector,
Erode District.
2. The Tahsildar,
Bhavani Taluk, Erode District.
3. The Executive Officer(incharge),
Appakudal Panchayat,
Erode District.
4. The Block Development Officer,
Bhavani Panchayat Union,
Bhavani Taluk, Erode District.

..Respondent(s)



PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned notice issued by the 2nd respondent vide Na. Ka.735/2025/A2 dated 22.08.2025 and quash the same.

For Petitioner(s): Mr.S.Dinuprashanth

For Respondent(s): Mr.T.Arun Kumar

Additional Government Pleader For R1 to R3

ORDER

(Order of the Court was made by C.KUMARAPPAN, J.)

The present Writ Petition has been filed assailing the final notice issued to the petitioner under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

2. The learned counsel for the petitioner would vehemently contend that no prior notice was issued to the petitioner before issuance of the impugned notice under Section 6 of the Act.

3. When we put the pertinent question to the learned Additional Government Pleader, he was also not in a position to confirm as to whether a notice under Section Section 7 of the Act had been issued to the petitioner.



4. Therefore, we are of the considered view that, since no notice has been issued under Section 7 of the Act to the petitioner, we deem it fit to treat the impugned notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, as a notice issued under Section 7 of the Act. Accordingly, the petitioner is directed to submit his explanation within a period of fifteen (15) days from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petitions stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (C.K.,J.)

22-01-2026

Index: Yes

Speaking order

Neutral Citation: Yes

Asi

To

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Erode District.
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Bhavani Panchayat Union,
Bhavani Taluk, Erode District.



WEB COPY

WP No. 1080 of 2



S.M.SUBRAMANIAM J.

AND

C.KUMARAPPAN J.

Asi

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