



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

WP No. 2579 of 2026

1. K.Margabanthu

Petitioner(s)

Vs

1. The Secretary
Revenue and Disaster Management
Department, Fort St. George,
Chennai-600 009

2.The District collector
Thiruvallur District, 1st Floor,
Collectorate, Thiruvallur-602 001

3.The Tahsildar
Poonamallee Taluk, No.5, Trunk
Road, Poonamallee, Chennai-600
056

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus, directing the 3rd respondent restraining from evicting petitioner from petitioner house and land in Survey No. 62/2 of Goparsanallur Village, Kattupakkam, Poonamallee Taluk, Tiruvallur District, PIN-600 056, under the guise of evicting encroachments in Survey No.62/1 (Meikal Poramboke land), without conducting a proper survey and demarcation of boundaries.



For Petitioner(s): Mr.R.K.Ramaiah

For Respondent(s): Mr.T.Arun Kumar,
Additional Government
Pleader

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Writ of mandamus has been instituted to direct the 3rd respondent restraining from evicting petitioner from petitioner house and land in Survey No. 62/2 of Goparsanallur Village, Kattupakkam, Poonamallee Taluk, Tiruvallur District, PIN-600 056, under the guise of evicting encroachments in Survey No.62/1 (Meikal Poramboke land), without conducting a proper survey and demarcation of boundaries.

2. The relief as such sought for in the present writ petition is misconceived. Admittedly, enforcement actions were initiated under the provisions of Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'Act'). Section 7 notice has been issued and after affording opportunity to the petitioner, final notice under Section 6 of the Act was issued vide Proceedings in Na.Ka.2658/2020/Aa1, dated 30.09.2021. Section 7 notice came to be challenged in WP.No.20105 of 2021. The Division Bench of this Court disposed of the writ petition on 06.12.2021, directing the authorities to consider the representation. Thus, petitioner was pursuing the matter whenever eviction notice is issued.



3. Learned counsel for the petitioner would submit that authorities are attempting to evict the petitioner.

4. However, if at all the petitioner claims title, he has approach the Civil Court of law. That being the factum, the present writ petition filed seeking relief in the nature of injunction is not entertainable. Consequently, the writ petition is dismissed. No costs. The connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
05-02-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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To

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AND
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