



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 3787 of 2026

P.Thangaraj

..Petitioner(s)

Vs

1. District Collector
Office of District Collector
Erode District.
2. District Revenue Officer
Office of District Revenue Officer
Erode District.
3. Revenue Divisional Officer
Office of Revenue Divisional Officer
Erode District.
4. Tahsildar
Office of Tahsildar
Erode District.
5. Land Surveyor
Land Survey Branch
Tahsildar Office
Erode District.
6. Executive Officer



Sivagiri Town Panchayat
Erode District.

WP No. 3787 of 2



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..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India for issuing Certiorarified Mandamus to call for the records of proceedings Na.Ka.No. 40/2024 dated 05.01.2026 passed by the 6th respondent and to quash the same and to direct the respondents to resurvey the land as per the procedure laid down by law and thus render justice.

For Petitioner(s): Mr.Deepan Uday

For Respondent(s): Mr.D.Ravichander,
Special Government Pleader For Rr1 To 6.

ORDER

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

The present writ petition has been filed assailing the order of the Executive Officer dated 05.01.2026 issued under Section 128(B) of the Tamil Nadu Urban Local Bodies Act, 1998.

2. It is a well settled principle of law that no writ against show cause notice is maintainable, unless such notice is issued by an incompetent authority. In the case on hand, it is not the case of the petitioner that the show-cause notice was issued by an incompetent authority. On the other hand, he would submit that the property belongs to him which factum is disputed by the respondent. Disputed facts cannot be gone into in a writ petition. Therefore, the writ petition is dismissed. However, the petitioner is at liberty to give a



reply to the notice and the authorities are directed to proceed in accordance with law. No costs. Consequently, the connected miscellaneous petition, if any, are closed.

(S.M.S.,J.) (C.K.,J.)
12-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GD

To

1. District collector
Office of District Collector
Erode District.
2. District Revenue Officer
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Erode District.
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**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

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