



WEB COPY

W.P.No.6908 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.6908 of 2026

and

W.M.P.Nos.7527, 7530 & 7533 of 2026

1.D.Eswaramoorthy

2.Bakkiyam

... Petitioners

-VS-

1.The District Collector,
Collectorate Building,
Coimbatore – 641 018.

2.The District Revenue Officer,
Collectorate Building,
Coimbatore – 641 018.

3.The Tahsildar,
Taluk Office,
Perur, Coimbatore – 641 010.

4.The Revenue Inspector,
Madhampatti,
Perur, Coimbatore – 641 010.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Show Cause Notice dated 11.05.2025, issued by the 4th respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, and quash the same and consequently direct the respondents 1 to 3 to consider and dispose of the petitioners' representation dated 08.12.2025, in accordance with law and within a time frame to be stipulated by this Court.

For Petitioners : Mr.T.Gowthaman,
Senior Counsel
for Mr.P.Kavin Prabhu

For Respondents : Mr.D.Ravichander,
Spl. Govt. Pleader

ORDER

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

The Writ Petition has been filed challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act [hereinafter referred to as "the Act"].

2. The learned Senior Counsel appearing for the petitioners would submit that the very classification of land as "plan marked path" is a wrong classification.



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3. However, such contention was stoutly objected by the learned Special Government Pleader and would contend that though patta stands in the name of the petitioners, there is a specific remark that it is a “plan marked path (நிலவியல் பாதை)”. Therefore, under the Tamil Nadu Land Encroachment Act even if patta stands in the name of an individual, any encroachment in “plan marked pathway” can be removed under the Act as per the Board Standing Orders.

4. We have given our anxious consideration to the submissions of the learned counsel on either side.

5. While looking at the impugned notice that has been issued under Section 7 of the Act, it is not the case of the petitioners that it was issued by incompetent person. Therefore, we do not find any reason to entertain the present Writ Petition. However, if at all the petitioners have got any explanation, they are at liberty to submit their explanation to the Authorities concerned.



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6. At this juncture, the learned Senior Counsel would submit that they have already submitted their explanation to the impugned notice.

7. If any explanation is received or has been received, then the Authorities are directed to consider the same in accordance with law and proceed with the enforcement actions, if there is any encroachments.

8. With the above directions, this Writ Petition is **dismissed**. No costs. The connected miscellaneous petition in W.M.P.No.7527 of 2026 is ordered on payment of separate Court fee and the other connected miscellaneous petitions in W.M.P.Nos.7530 and 7533 are closed.

(S.M.S,J.) (C.K,J.)
25.02.2026

Index: Yes / No
Internet: Yes / No
dsa



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To:

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S.M.SUBRAMANIAM, J.
AND
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