



WEB COPY

W.P.No.2649 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.2649 of 2026

and

W.M.P.Nos.2886 & 2891 of 2026

C.Kaliyappan

... Petitioner

-vs-

1.The Tahsildar,
Omalur Taluk,
Salem District.

2.The Revenue Inspector,
Karuppur, Omalur Taluk,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorari, calling for the records relating to proceeding Nil dated Nil passed by the 2nd respondent, under Section 7 of the Land Encroachment Act, 1905 and quash the same.

For Petitioner : Mr.M.Elango

For Respondents : Mr.T.Arun Kumar,
Addl. Govt. Pleader



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ORDER

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

The Writ on hand has been instituted challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905.

2. No Writ against show cause notice is maintainable, unless such notice is issued by incompetent Authority having no jurisdiction. Section 7 notice is issued providing an opportunity to the petitioner either to vacate the encroached portion of the Government land or to submit explanation along with the documents, if any. If any documents are filed, the same is to be considered by the competent Authority and thereafter, final notice under Section 6 of the Act is to be issued. After issuance of Section 6 notice, Authorities are empowered to conclude the enforcement action by evicting the encroachers from the Government property.

3. The learned Additional Government Pleader appearing on behalf of the respondents would also submit that enforcement actions are initiated pursuant to the directions issued by this Court in W.P.No.3082 of 2025 dated 03.02.2025.



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4. This being the procedure contemplated under the Tamil Nadu Land Encroachment Act, show cause notice *per se* would not provide a cause for institution of Writ proceedings. Granting liberty to the petitioner to submit his explanation, the present Writ Petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petitions are closed.

(S.M.S,J.) (C.K,J.)
29.01.2026

Index: Yes / No
Internet: Yes / No
dsa

To:

- 1.The Tahsildar,
Omalur Taluk,
Salem District.
- 2.The Revenue Inspector,
Karuppur, Omalur Taluk,
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