



WEB COPY

W.P.2751 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.2751 of 2026

and

W.M.P.No.3007 of 2026

Rajalakshmi

... Petitioner

-vs-

1.The District Collector,
Cuddalore District.

2.The Revenue Divisional Officer,
Virudhachalam, Cuddalore District.

3.The Tahsildar,
Tittagudi Taluk, Cuddalore District.

4.The Block Development Officer,
Mangalur Panchayat Union,
Tittagudi Taluk, Cuddalore District.

... Respondents

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 impugned order passed by the 3rd respondent in respect of the eviction Notice issued under Section 6 of the Tamil Nadu Land Encorachment Act, 1905 (Tamil Nadu Act III of 1905) dated 08.01.2026



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relating to the petitioner's property in Survey No.28/10B4 situated at Ramanatham Viallage, Tittakudi Taluk, Cuddalore District, quash the same as illegal and consequently, forbear the respondents from interfering with the enjoyment and peaceful possession of the petitioner property in Survey No.28/10B4 totally to an extent if 1057 1/2 sq.feet (as per Patta 1 Ares) in Ramanatham Village, Tittagudi Taluk, Cuddalore District in any manner whatsoever within a time frame fixed by this Court.

For Petitioner : Mr.S.Kalaikumar

For Respondents : Mr.T.Arun Kumar,
Addl. Govt. Pleader for R1 to R3

Mrs.Aswini Devi,
Addl. Govt. Pleader for R4

ORDER

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

The Writ on hand has been instituted challenging the notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 [hereinafter referred to as "the Act"].

2. No Writ against the show cause notice is maintainable, unless such notice has been issued by the incompetent Authority having no jurisdiction. The petitioner on receipt of show cause notice is at liberty to submit his explanation along with the documents, if any, to the Authorities



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for consideration. After arriving a conclusion regarding encroachment, the Authorities has to issue final notice under Section 6 of the Act. Thereafter, the appeal would also lie before the District Collector under Section 10 of the Act. This being the scheme under the Act, the present Writ Petition is not maintainable.

3. Granting liberty to the petitioner to submit his representation along with documents if any, the present Writ Petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S,J.) (C.K,J.)
30.01.2026

Index: Yes / No
Internet: Yes / No
dsa
To:

- 1.The District Collector,
Cuddalore District.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
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S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.

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