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W.P.No.2554 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.2554 of 2026

and

W.M.P.Nos.2788 & 2790 of 2026

1.T.Balasubramaniam

2.B.Veerasekaran

... Petitioners

-vs-

1.The District Collector,
Thiruvarur District.

2.The Revenue Divisional Officer,
Mannargudi Taluk,
Thiruvarur District.

3.The Commissioner,
Mannargudi Municipality,
Mannargudi Taluk,
Thiruvarur District.

4.The Tahsildar,
Mannargudi Taluk,
Thiruvarur District.

... 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 relating to the impugned eviction notice of the 3rd respondent dated 30.12.2025 in Na.Ka.No.1076/2020/A4 and quash the same insofar as it relates to the petitioner's patta land; and consequently direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment of the patta land.

For Petitioners : Mr.L.Chandrakumar

For Respondents : Mr.T.Arun Kumar,
Addl. Govt. Pleader for R1, R2 and R4

Mr.C.Selvaraj,
Addl. Govt. Pleader for R3

ORDER

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

The notice issued by the Commissioner, Mannargudi Municipality dated 30.12.2025 is sought to be assailed in the present Writ proceedings.

2. The learned counsel for the petitioners would mainly contend that no opportunity has been provided to the petitioners to submit all the documents, including the injunction decree granted by the civil Court.



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3. The learned Additional Government Pleader would oppose by stating that notice has been issued under Section 128 of the Tamil Nadu Urban Local Bodies Act. Therefore, the said notice would provide an opportunity to the petitioners to submit their explanation along with documents. The Authorities after considering the documents will take final decision and pass orders and thereafter enforcement action is to be taken, if encroachments are identified.

4. This court is of the considered view that the injunction suits are filed and *ex parte* decrees are obtained without impleading the District Collector and Government as party. In such nature of cases which requires serious consideration, the Authorities who failed in their duties to defend the case properly or the suit for injunction which were filed against public land without impleading the Government as a party, appropriate actions are to be initiated by the District Collector to find out the truth and initiate all necessary actions. Public lands are to be protected. Greedy men are attempting to grab the public lands.



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5. In the present case, the petitioners claim that the subject land is a patta land. Therefore, close scrutinization of relevant documents and the documents to be produced by the petitioners are to be undertaken for the purpose of arriving a final conclusion.

6. In view of the facts and circumstances, the petitioners are at liberty to submit their explanation along with the documents, if any, to the Commissioner, Municipality within a period of ten (10) days from the date of receipt of a copy of this order. The Commissioner, Municipality shall conduct an enquiry by scrutinizing the documents, verifying the genuinity of those documents and thereafter pass final orders. If any encroachments are identified, then the enforcement actions are to be continued for evicting the encroachers.

7. Till such time the final order is passed, no coercive actions shall be taken by the Municipality. It is needless to state that the petitioners should cooperate for the enquiry and shall not seek any unnecessary postponement of the enquiry. The entire exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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8. Accordingly, this Writ Petition stands **dismissed**. No costs.

The miscellaneous petition in W.M.P.No.2788 of 2026 seeking to permit the petitioners to file the above Writ Petition is ordered subject to payment of separate Court fee and the other connected miscellaneous petitions is closed.

(S.M.S,J.) (C.K,J.)
23.01.2026

Index: Yes / No
Internet: Yes / No
dsa

To:

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Thiruvarur District.
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