



WEB COPY

W.P.No.6032 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.6032 of 2026

and

W.M.P.Nos.6548, 6550 & 6551 of 2026

1.Ramu

2.R.Sasikumar

... Petitioners

-VS-

1.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Mayiladuthurai District.

2.The Tahsildar,
O/o. Tahsildar, Sirkazhi,
Mayiladuthurai District.

3.T.Paramasivam

4.V.Sakthivel

5.P.Natarajan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorari, to call for the records relating to the impugned order in Ref.Na.Ka.No.7497/2023/௮8 dated 21.01.2026 passed by the 2nd respondent and quash the same.



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For Petitioners : Mr.D.Bharathy

For Respondents : Mr.D.Ravichander,
Spl. Govt. Pleader for R1 and R2

ORDER

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

The present Writ Petition has been filed challenging the impugned notice dated 21.01.2026 issued by the Tahsildar.

2. The learned counsel for the petitioners would submit that the petitioners preferred a Writ Petition in W.P.No.9569 of 2025, wherein the Authorities were restrained to proceed with removal of encroachments until the appeal filed by the petitioners is disposed of. It is the further submission of the learned counsel for the petitioners that such appeal has not been disposed of. In the mean while, the Authorities have issued present impugned notice. Therefore, said notice is contrary to the orders of the Division Bench. Hence, prayed to interfere with the same.

3. The learned Special Government Pleader would stoutly object the said contentions and would submit that in pursuance of the order made in



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W.P.No.5675 of 2024 dated 04.03.2024, the Authorities have issued notice under Section 7 of the Tamil Nadu Land Encroachment Act [hereinafter referred to as “the Act”] on 21.01.2026 and after that the petitioners have submitted their explanation. Thereafter, a final notice was issued under Section 6 of the Act. The learned Special Government Pleader would further submit that instead of filing an appeal before the District Collector under Section 10 of the Act, the petitioners preferred an appeal before the Revenue Divisional Officer, which is contrary to the stipulations provided under the Act. Hence, would contended that pendency of appeal before the 1st respondent is of no use to the petitioners. Hence, prayed to dismiss the Writ Petition.

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

5. As rightly contended by the learned Special Government Pleader any appeal against the notice under Section 6 of the Act would only lie before the District Collector. The Tamil Nadu Land Encroachment Act is a self contained code, where it has been specifically stipulated that the appeal should be filed only before the Collector. Therefore, any representation or any application before the Revenue Divisional Officer



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under the guise of appeal will in no way be construed as an appeal under Section 10 of the Act.

6. Therefore, we do not find any reason to entertain the present Writ Petition. However, the petitioners are granted liberty to file appeal under Section 10 of the Act before the District Collect. If appeal is filed within a period of two (2) weeks from the date of receipt of a copy of this order, the Authorities are directed to take up the appeal on file without insisting upon limitation and dispose of the same in accordance with law.

7. With the above directions, this Writ Petition stands **disposed of**. No costs. The connected miscellaneous petition in W.M.P.No.6548 of 2026 is ordered on payment of separate Court fee and the other connected miscellaneous petitions in W.M.P.Nos.6550 and 6551 of 2026 are closed.

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

Index: Yes / No
Internet: Yes / No
dsa



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To:

- 1.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Mayiladuthurai District.
- 2.The Tahsildar,
O/o. Tahsildar, Sirkazhi,
Mayiladuthurai District.



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AND
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