



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 6261 of 2026

and

W.M.P.Nos.6722 & 6723 of 2026

M.Thangaraj
S/o.MuthusamiGounder @ Muthu Goundar,
44, V.Mettupalayam,
Vellodu Post,
Perundurai Taluk,
Erode- 638 112.

..Petitioner(s)

Vs

1. The District Collector
District collectorate Office,
Erode District.
2. The District Revnue Officer
Erode,Erode District.
3. The Revenue Divisional Officer
Revenue Divisional Office,
Erode.
4. The Tahsildar
Taluk Office,
Perundurai,
Erode District.
5. Dhanapal
S/o.Muthusamy Goundar,
23, V.Mettupalayam,
Vadamugam, Vellodu,
Perundurai- 638 112.



..Respondent(s)

Calling for the records pertaining to the 1st respondent proceeding vide Moo. Mo. 8712/ 2024/U1 dated 20.11.2024 and quash the same as illegal, incompetent and ultravires and may pass.

For Petitioner(s): Mr.S.Arunprasath

For Respondent(s):

ORDER

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

The Writ on hand had been instituted to assail the order of the District Collector dated 20.11.2024.

2. Perusal of the order impugned would show that the Appeal preferred under Section 10 of the Tamilnadu Land Encroachment Act, 1905, came to be dismissed only on the ground that the said appeal had been received by the District Collector beyond the limited period of 30 days contemplated under the Act.

3. Learned counsel for the petitioner would submit that there is a delay of four months in preferring the appeal.

4. Such a delay of four months cannot be construed as uncondonable. Thus, this Court is inclined to interfere with the order impugned. Consequently, the order impugned dated 20.11.2024 is set aside. The District Collector is directed to take the statutory appeal on file and dispose of the appeal on merits by affording an opportunity to



the parties and by following the procedures. Accordingly, the Writ Petition stands allowed. No costs. Consequently, W.M.P.No.6722/2026, petition to dispense with, is ordered and W.M.P.No.6723/2026 is closed.

(S.M.S.,J.) (K.S.,J.)
02-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

vsi

To

1. The District Collector
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Erode District.
2. The District Revenue Officer
Erode, Erode District.
3. The Revenue Divisional Officer
Revenue Divisional Office, Erode.
4. The Tahsildar
Taluk Office, Perundurai,
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S/o. Muthusamy Goundar,
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

vsi

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