



WEB COPY

WP No. 5117 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 5117 of 2026

and WMP.Nos.5675, 5676 and 9630 of 2026

C.Nallaiyan

..Petitioner(s)

Vs

1. The District Collector
Salem, Salem District.
2. The Revenue Divisional Officer/
Sub Collector
Mettur, Mettur Dam-1
Salem District.
3. The Tahsildar
Omalur Taluk,
Salem District.
4. The Revenue Inspector
Karuppur
Omalur Taluk,
Salem District.
5. The Regional Joint Director
Geology and Mining
Salem Region
Salem District.
6. The Deputy Director of Geology
And Mining
2nd Floor, Collectorate
Salem-636 001.
7. M/s. Rangaa And Co.,
Rep. by its partner V.S.Sabarinathan, 2-224,
Kombukutti Kadu, Vellalapatti, Omalur Taluk,
Salem District, Pin code - 636 012. (R7



IMPLEADED VIDE ORDER DATED
05.03.2026 MADE IN WMP.9884/2026 IN
WP.5117/2026 BY MDIJ)

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..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorari calling for the records relating to the order passed by the 1st respondent in tender file R.C. No.36/ 2026/ Mines- A dated 29.01.2026, quash the same in respect of land in Survey No.16/3 and 16/4 an extent of 1.13.50 Hecs alone and pass.

For Petitioner(s): Mr.M.Elango

For Respondent(s): Mr.J.Ravindran, Additional Advocate General
assisted by Mr.U.Baranidharan, Special
Government Pleader for R1 to R6

Order

The writ petition is filed challenging the tender notification of the 1st respondent dated 29.01.2026, inviting tender for quarrying the stones from the Government Poramboke Land, which includes the land of the petitioner also.

2. Case of the petitioner is that the land in S.F.Nos.16/3 and 16/4, measuring an extent of 1.35.50 Hec. At Vellalapatti Village, Omalur Taluk, was originally classified as Tharisu poramboke in the Revenue Records. The petitioner and his predecessors were in possession and enjoyment of the said property for several years and by considering their long possession, it is alleged by the petitioner that the Revenue authorities had issued patta for the said land



during the year 2013 and it was registered in the 'A' Register also. While so, the respondents tried to evict the petitioner from the subject land and hence, the petitioner has filed W.P.No.16393/2024, wherein a direction was issued to the respondents to follow due process of law.

3. Thereafter, the 4th respondent issued Section 7 notice under the provisions of Land Encroachment Act. Challenging the notice, the petitioner filed W.P.NO.37028/2024. The said writ petition was disposed by directing the petitioner to treat the Section 7 notice as show cause notice and the respondent was directed to pass an appropriate order under Section 6 of the said Act by considering the petitioner's reply. In pursuance to the order of this Court, the 3rd respondent on 18.12.2024, passed an order stating that there is no document available in his office to the effect that the Tcard patta was issued in favour of the petitioner. Challenging the proceeding dated 18.12.2024, the petitioner again filed W.P.No.3329 of 2025, wherein a liberty was granted to the petitioner to file an appeal under Section 10 of the Land Encroachment Act. The petitioner has also filed an appeal before the 1st respondent on 04.02.2025 and the same is pending. While the matter stood thus, the 1st respondent vide his proceedings dated 29.01.2026, published a notification inviting E-tender for quarrying the stones in the Government Poramboke Land, wherein the petitioner's land were also included. Challenging the tender notification, the petitioner is before this Court.



4. The learned counsel appearing for the petitioner submitted that the subject land of the petitioner was included at Serial No.14 on the notification and it is surprise as to how the 1st respondent can classify the subject matter of land as poramboke land when patta was already granted to the petitioner in the year 2012 and an appeal also under Section 10 of the land Encroachment Act, is pending. Therefore, when the subject matter is pending for consideration before the appellate authority, issuing notification for the very same subject land is unjust and impermissible in the eye of law and prays for appropriate order of this Court.

5. Learned Additional Advocate General assisted by the learned Special Government Pleader appearing for respondents submitted that the property was a vacant property without any structures or any agricultural activities conducted by the petitioner. Though the petitioner claims that the land was assigned in favour of him on 25.03.2013, no such revenue record available in his favour in the Revenue Department. Supporting his contention, the learned AAG also produced the original 'A' Register of the years 1937 and 1984 before this Court. Even assuming that if there is an assignment in favour of the petitioner, immediately the same will be entered in the permanent 'A' Register, however, the said 'A' Register did not reveal anything with regard to the assignment of land in favour of the petitioner. Therefore, the respondents after verifying all the



aspects, had rightly ranked the petitioner as an encroacher and initiated proceedings under the Land Encroachment Act. Further, since the subject land is a Government poramboke land, there will be no legal impediment on the part of the respondents to proceed with the tender and prays for dismissal of this petition.

6. Heard both sides and also perused the materials placed on record.

7. Though the petitioner claims that the land was assigned in his favour on 25.03.2013, no revenue record is available in the Revenue Department to substantiate such claim. In support of the said contention, the learned Additional Advocate General produced before this Court the original 'A' Register pertaining to the years 1937 and 1984. A perusal of the said records does not disclose any entry showing assignment of the subject land in favour of the petitioner. Normally, whenever an assignment is made in favour of an individual, the same would be reflected in the permanent 'A' Register maintained by the Revenue Department. However, in the present case, the said register does not reveal any such entry.

8. In view of the above, the respondents, after verifying all relevant records, have rightly followed the due process of law, which does not require interference of this Court. If at all the petitioner is having any grievance, he is



always at liberty to canvass all the points before the 1st respondent where the appeal of the petitioner dated 04.02.2025, is pending. Therefore, this Court does not find any illegality or infirmity in the tender notification of the 1st respondent.

9. Accordingly, the writ petition is dismissed. No costs. Consequently connected miscellaneous petitions are closed.

11-03-2026

Index: Yes/No

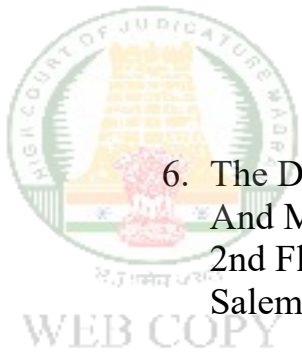
Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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M.DHANDAPANI J.

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