



WEB COPY

W.P.No.5561 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.5561 of 2026

and

W.M.P.Nos.6031 & 6032 of 2026

Indian Oil Corporation Limited,
Executive Director Mr.Annadurai,
Rep. by its Power Agent & Divisional Retail Sales Head,
Mr.Deepak Kumar,
No.500, Anna Salai, Teynampet,
Chennai – 600 018.

... Petitioner

-VS-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department, Fort St. George,
Chennai – 600 001.
- 2.The Revenue Divisional Officer,
Taluk Office Complex, 1st Floor,
Opp. MEPZ, Kadaperi, Tambaram West,
Chennai – 600 045.
- 3.The Tahsildar,
Pallavaram Taluk, Pallavaram Municipal Office,
Near Chrompet Bus Stand,
Chennai – 600 044.



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4.The District Collector,
New Collectorate Complex,
Vedhanarayanapuram,
Chengalpattu, Tamil Nadu – 603 111.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Eviction Notice dated 23.01.2026 bearing Ref.No.380/37-RF. XIV-CI-200,000 Cps.-GBP-MDU-7-2022, issued by respondent No.3 and quash the same, and consequently direct the respondents to consider petitioner's representation dated 13.09.2023.

For Petitioner : Mr.AR.L.Sundaresan,
Additional Solicitor General
for Mr.Kidesh Kumar M.D
and Mr.Navod Prasannan

For Respondents : Mr.D.Ravichander,
Spl. Govt. Pleader

ORDER

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

The present Writ Petition has been instituted by the Indian Oil Corporation Limited challenging the final notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 [hereinafter referred to as "the Act"].



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2. The impugned Section 6 notice would show that the Government Poramboke lake has been encroached upon by the Indian Oil Corporation Ltd., The petitioner earlier filed Writ Petition in W.P.No.36136 of 2016. Challenging the order passed in the Writ Petition, a Writ Appeal in W.A.No.1282 of 2023 was filed. The Division Bench of this Court passed final orders on 26.06.2023 as follows:-

“ 6. It is a fact that the appellant is a public sector undertaking and the respondent is the Government. It would amount to one arm of the Government fighting against its other arm. It is for the appellant and the respondent State to resolve the issue amongst themselves. Naturally, it is for the appellant to take appropriate steps in that regard.”

3. Based on the above order of the Division Bench, no further action was initiated to resolve the issues by the Indian Oil Corporation Ltd.,. Subsequently, the competent Authority issued notice under Section 6 of the Act, which is impugned in the present Writ Petition.

4. The learned Additional Solicitor General of India appearing on behalf of the petitioner would submit that the show cause notice under Section 7 of the Act was not issued. Therefore, the impugned notice under Section 6 of the Act is liable to be set aside.



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5. The learned Special Government Pleader appearing on behalf of the State would produce a copy of the notice issued under Section 7 of the Act. The said notice had been acknowledged by one Mr.M.Kamalanathan.

6. Be that as it may, the petitioner being the Indian Oil Corporation Ltd., this Court is inclined to grant one more opportunity to the petitioner to submit their explanation along with the documents, if any. In view of the said factum, the impugned notice under Section 6 dated 23.01.2026 is treated as a show cause notice under Section 7 of the Act. The petitioners are at liberty to submit their explanation along with documents, if any, to the competent Authority, within a period of fifteen (15) days from the date of receipt of a copy of this order. On receipt of any such representation, the competent Authority under the Tamil Nadu Land Encroachment Act, 1905, shall consider the same and issue final notice, if the encroachments are identified in water body. If any final notice under Section 6 of the Act is issued for eviction, the aggrieved person may approach the District Collector under Section 10 of the Act. The revenue Authorities may serve the statutory notice to all the persons including the lessor and lessee or the owner and the occupant.



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7. With these observations, the Writ Petition stands **disposed of**.

No costs. The connected miscellaneous petition in W.M.P.No.6031 of 2026 filed to dispense with production of the original Eviction Notice dated 23.01.2026 is ordered and W.M.P.No.6032 of 2026 is closed.

(S.M.S,J.,) (C.K,J.,)
13.02.2026

Index: Yes / No
Internet: Yes / No
dsa



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To:

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dharmapuri District.
3. The Tahsildar,
Nallampalli Taluk,
Dharmapuri District.
4. The Revenue Inspector,
Palayamputhur,
Nallampalli Taluk,
Dharmapuri District.
5. The Village Administrative Officer,
Kammampatti Village,
Nallampalli Taluk,
Dharmapuri District.
6. The Deputy Superintendent of Police,
Dharmapuri District.
7. The Inspector of Police,
Thoppur Police Station,
Thoppur,
Dharmapuri District.



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AND
C.KUMARAPPAN, J.

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