



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 7362 of 2026

and

WMP No. 7913 & 7915 of 2026

1. Arul Mani
D/o Munusamy,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,- 632602
2. Gopi
S/o Mani
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham.
3. Y.Vinodkumar
S/o Yesudass,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham.
4. Pushpa
S/o Munusamy,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,
5. Jayamani,
W/o Anandan,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,
6. Karthikeyan,
S/o Vasudevan,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,
7. D Vignesh,
S/o .Dasarathan,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,



8. Elizabeth
W/o Devaraj
Periyar Nagar Thazhaiyatham Puthiya Colony
Gudiyattam .632602
9. Kasiammal
W/o Munusamy
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,
10. V.Kumar,
S/o Vasudevan
Periyar Nagar Thazhaiyatham Puthiya Colony
Gudiyattam
11. M.Krishnan
F/o. Munisamy,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,
12. Kasiammal
W/o Seethapathi,
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham,
13. Padhma
W/o Adhimoolam
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham, 632602
14. Thenmozhi
S/o Kumar
Periyar Nagar, Thazhaiyatham Puthiya Colony
Gudiyatham - 632602

..Petitioner(s)

Vs

1. The District Collector
Vellore District
Vellore
2. The Thasildar,
Gudiyatham Taluk,
Gudiyatham - 632602.



..Respondent(s)

calling for the records made in the impugned Notice of eviction issued in Na.Ka.No, 1769/2023/F-1 dated 29.11.2023 by the 3rd respondent along with the consequential notices dated 02.02.2026 and QUASH the same in so far as the Petitioners are concerned and further DIRECTING the respondents to grant house site Patta in T.S.No.792/57 situated at Periyar Nagar, Thazhaiyatham Puthiya Colony Gudiyatham Town , Vellore District and pass

WP No. 7362 of 2026

For Petitioner(s): MR.B.Lenin Balu

For Respondent(s): Mr.D.Ravichander,
Spl.G.P. for R1 & R2.
Ms.S.Indhu Bala,
Addl.G.P. for R3.

Order

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

The present writ petition has been instituted challenging the notice issued by the Commissioner, Gudiyatham Municipality, under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998.

2. An eviction order came to be issued on earlier occasion in proceedings dated 09.10.2023 by the Commissioner Municipality. The said eviction order came to be challenged by the writ petitioner in a batch of writ petition in W.P.No.964 of 2023 etc. The Division Bench of this Court, disposed



of the said writ petitions on 26.10.2023 treating the said order as a show cause notice and granted liberty to the encroachers to submit their explanation. On receipt of the explanation, the authorities shall consider the same and pass appropriate order in the manner known to law.

3. In pursuance to the orders of this Court, the petitioners have submitted explanation on 14.10.2023. On receipt of the explanation, it was considered and order of eviction was passed in proceedings dated 29.11.2023 by the Commissioner. The said order impugned would show the order passed by this Court in a batch of writ petition on 26.10.2023 in 5th reference. Pursuant to the said order dated 29.11.2023, no eviction proceedings took place. However, once again, a notice came to be issued under section 128 of the Tamilnadu Urban Local Bodies Act. After passing the eviction order on 29.11.2023, now after a lapse of about 3 years, further notice under section 128 of the Tamil Nadu Urban Local Bodies Act has been issued in proceedings dated 02.02.2026. In view of the said factum, the present writ petition is not entertainable, since opportunity as contemplated were already been afforded to the writ petitioners/encroachers. Earlier, they have challenged the eviction order and the said order was set aside by this Court by treating the same as show cause notice and explanations were submitted by the petitioners and the same was considered and an order was passed in the year 2023. The said order is challenged in the present writ petition, now, after a lapse of 2 ½ years.



4. Consequential eviction notice, now issued would not provide a fresh cause of action, since the issue had already reached finality. Therefore, the petitioners have not made out any acceptable ground for the purpose of entertaining the present writ petition. Thus, the Writ Petition stands dismissed. No costs. Consequently, connected W.M.P.No.7913 of 2026 is ordered and W.M.P.No.7915 of 2026 is closed.

(S.M.S.,J.) (C.K.,J.)
24-02-2026

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

VSI

To

1. The District Collector
Vellore District
Vellore
2. The Thasildar,
Gudiyatham Taluk,
Gudiyatham - 632602.
3. The Commissioner,
Gudiyatham Municipality,
Gudiyatham,
Vellore District - 632602



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WP No. 7362 of 2



**S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.**

VSI

WP No. 7362 of 2026

24-02-2026