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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP Nos. 6421, 6466, 6517 & 6328 of 2026

G.V.Eliyaraja

... Petitioner in WP.No.6421 of 2026

K.Karthick Raj

... Petitioner in WP.No.6466 of 2026

M.Shahul Hameed

... Petitioner in WP.No.6517 of 2026

M.Akbar Sha

... Petitioner in WP.No.6328 of 2026

Vs

1. The Commissioner
of Land Administration,
2nd floor, Ezhilagam,
Chepauk, Chennai 05
2. The District collector
Cuddalore district
at Cuddalore
3. The District Revenue officer
O/o. District collector officer,
at cuddalore
4. The Revenue Divisional officer
Virudhachalam
5. The Tahsildar
Virudhachalam Taluk,
Cuddalore district

..Respondent(s) in all petitions



WP.No.6421 of 2026:Writ Petition filed under Sections 226 of the Constitution of India for issuing writ of mandamus directing the 1st respondent to dispose of the revision application dated 12.02.2026 within a stipulated period of time.

WP.No.6466 of 2026:Writ Petition filed under Sections 226 of the Constitution of India for issuing writ of mandamus directing the 1st respondent to dispose of the revision application dated 12.02.2026 within a stipulated period of time.

WP.No.6517 of 2026:Writ Petition filed under Sections 226 of the Constitution of India for issuing writ of mandamus directing the 1st respondent to dispose of the revision application dated 13.02.2026 within a stipulated period of time.

WP.No.6328 of 2026:Writ Petition filed under Sections 226 of the Constitution of India for issuing writ of mandamus directing the 1st respondent to dispose of the revision application dated 12.02.2026 within a stipulated period of time.

For Petitioner(s) in WP Nos. 6421, 6517 & 6328 of 2026:	Mr.R.Shanmuga Sundaram, Senior Counsel For Mr.R.Surya Prakash
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For Petitioner(s) in WP No. 6517 of 2026:	Mr.S.Manu Raj for Mr.R.Suryaprakash
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For Respondent(s) in all writ petitions:	Mr.D.Ravichander, Special Government Pleader
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COMMON ORDER

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

Writ of mandamus have been instituted to direct the 1st respondent to dispose of the revision applications dated 12.02.2026 and 13.02.2026 within a stipulated period of time.

2. Routine issuance of direction to dispose of representation/appeal etc., by the appellate authority or the judicial forum by the High Courts in



exercise of the powers under Article 226 of the Constitution of India is not desirable, since it would cause inconvenience to the authorities/judicial forum.

The number of appeals/revision petitions pending before the competent authorities, number of cases pending before the Courts, cooperation of the parties for early disposal of the appeals/cases, volume of documents and evidences to be recorded are all relevant issues to be considered. Therefore, High Court is expected to exercise restraint in issuing such directions for disposal of cases by fixing time line. The practise prevailing is that such directions are unable to be complied with by the judicial forum/appellate authority on account of non-cooperation of parties or due to other grounds, including forum shopping etc. Therefore, the authorities/judicial forum is expected to regulate their works of board for speedy disposal of appeal/cases in the order of seniority, if necessary, by giving preference to the cases, where genuine urgency is established.

3. Regarding enforcement actions initiated for removal of encroachments, the encroachers are filing civil suits either for declaration of title or permanent injunction, and simultaneously filing writ petition, challenging the show cause notice or final notice issued under the provisions of the Land Encroachment Act or under relevant provisions of any other special enactments. These simultaneous proceedings are undoubtedly causing prejudice to the public interest as the authorities are unable to evict these encroachers, since these proceedings are prolonged and protracted, and



longevity of the litigation would result in taking undue advantage by the encroachers.

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4. Encroachments in public roads, encroachments of Government properties are causing untold agony to the people. Encroachments in roads are resulting in accidents and foot paths are obstructed, as the traders are encroaching upon foot paths and roads. The police authorities and other Government departmental authorities are mute spectators witnessing these encroachments, and expressing their inability to take action, which is as mandated under various enactments.

5. State has got a primary duty towards its citizens to provide roads free from encroachment for usage and to protect the safety of the road users and for free flow of vehicular traffic. Since the State has a duty under the Constitution. Authorities raise a plea that enforcement actions are unable to be concluded on account of multiplicity of legal proceedings and due to the interim orders passed by the Courts, wherein the Courts are not in a position to dispose of the cases within a reasonable period of time.

6. In the present case, a simple direction is sought for to dispose of the revision applications dated 12.02.2026 and 13.02.2026. Admittedly soon after filing the revision petitions, the present writ petitions are filed. No one can



expect the Commissioner of Land Administration, who is the head of the department in the State will be in a position to dispose of the revision petitions immediately, since he has to conduct an enquiry by affording opportunity to the parties and by calling for the original records from the authorities concerned. Therefore, issuing such a direction to dispose of the revision petition would do no service to the cause of justice. But the litigant will be back again by filing another writ petition.

7. Mr. Shanmuga Sundaram, learned Senior Counsel for the petitioners would submit that authorities are attempting to demolish the building. Admittedly, the petitioners have already instituted civil suits in OS.Nos.461, 339 of 2025 and 23 of 2026 on the file of the District Court, Cuddalore. If at all, petitioners could able to establish any prima facie case relating to their title or ownership, they could have secured interim orders in the suit, which has been instituted in the year 2025 and 2026. Having instituted a suit in the year 2025 and 2026, and having failed to secure any interim order during the relevant point of time, now filing writ petitions seeking a direction to dispose of the revision application within a short span, would be sufficient to draw an inference that the petitioners are attempting to prolong and protract the proceedings with an idea to escape from the clutches of enforcement actions under the Land Encroachment Act.



8. Pertinently, the present revisions have been filed under Section 10A of the Act, 1905. Section 10B of the Act provides interim stay pending decision in appeal or revision. Instead of approaching the competent authority by filing an application, writ petitions are filed. This Court is of the considered view that such writ petitions are instituted to circumvent the civil proceedings or to escape from the clutches of acquisition proceedings, and thus, not entertainable and liable to be rejected in limine.

9. Learned Special Government Pleader would submit that WP.No.6027 of 2026 filed by a similar encroacher was already dismissed by this Court on 17.02.2026.

10. In view of the facts and circumstances, the present writ petitions are dismissed. However, this Court deems it appropriate to direct the Commissioner of Land Administration to dispose of the revision applications as expeditiously as possible. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (C.K.,J.)
18-02-2026

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



To

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of Land Administration,
2nd floor, Ezhilagam,
Chepauk, Chennai 05
2. The District collector
Cuddalore district
at Cuddalore
3. The District Revenue officer
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Virudhachalam
5. The Tahsildar
Virudhachalam Taluk,
Cuddalore district



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WP No. 6421 of 2026 and ba



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

GD

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