



W.P.No.7945 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.7945 of 2023

M.Raju
S/o.Muthu

... Petitioner

vs.

1. The District Collector
Salem District
Salem.
2. The Revenue Divisional Officer
Office of Division
Sankari, Salem District.
3. The Tahsildar
Sankari Taluk
Salem District.
4. The Revenue Inspector
Sankarapuram
Sankari Taluk
Salem District.
5. The Block Development Officer
Mahudanchavadi
Salem District.

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6. The President
Kaligoundamapalayam Panchayat
Mahudanchavadi Union
Sankari Taluk, Salem District.

7. Kandasamy
S/o.Perumal

8. Mathiyalagan
S/o.Kandasamy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 3rd respondent dated 19.07.2019 in Na.Ka.No.2751/2018(k) and quash the same, and consequently, to direct the respondents 1 to 6 to remove the encroachment in S.Nos.55/3A and 55/3B, Kaligoundampalayam, Sankari Taluk, Salem District.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 to R6
Ms.P.Ruthistra
for Mr.B.Jawahar, for R7 and R8

ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The present writ petition has been filed challenging the memo dated 19.07.2019 issued by the third respondent Tahsildar stating that a suit has



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been instituted challenging the notice issued under Section 7 of “the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)” {hereinafter “1905 Act” for the sake of brevity}.

2. Under Section 14 of 1905 Act, the suit is expressly barred and it is also brought to the notice of this Court that the said suit has already been dismissed. Thus, there is no impediment for the authorities to proceed with enforcement action for removal of encroachments by following the procedure as contemplated under the 1905 Act.

3. The learned Additional Government Pleader, would submit that encroachments have already been identified by the competent authorities.

4. In view of the above submission, the official respondents are directed to complete the enforcement actions within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
24.03.2026

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

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**S. M. SUBRAMANIAM, J.,
and
K. SURENDER, J.,**

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