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W.A.No.1335 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WA No.1335 of 2026
and CMP No.12358 of 2026

C.Nallaiyan
S/o.Chinnusamy,
Valluvankadu, Kollapatty Post,
Karuppur Village, Omalur Taluk,
Salem District.

Appellant(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.



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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. Rangaa and Co
Rep. by its Partner V.S.Sabarinathan,
2-224, Komabukutti Kadu,
Vellalapatti, Omalur Taluk,
Salem District.

Respondent(s)

PRAYER: Appeal filed under Clause 15 of the Letters Patent to allow this appeal and set aside the order dated 11.03.2026 passed in WP No.5117 of 2026 by the learned Single Judge.

For Appellant(s): Mr. M.Elango

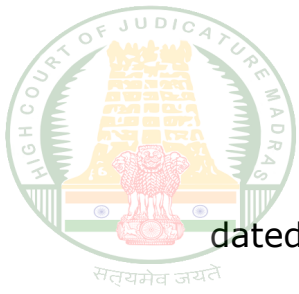
For Respondent(s): Mr.R.Veeramani
Government Pleader
for R1 to R6

Mr.V.Sanjeevi
for R7

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

This writ appeal has been preferred by the unsuccessful writ petition under Clause 15 of the Letters Patent against the order



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dated 11.03.2026 passed by the learned Single Judge in W.P.No.5117 of 2026, whereby the writ petition challenging the tender notification issued by the first respondent on 29.01.2026 was dismissed.

2. The subject matter of the dispute involves lands measuring an extent of 1.13.50 Hectares situated in Survey Nos.16/3 and 16/4 at Vellalapatti Village, Omalur Taluk, Salem District. The appellant/writ petitioner claims that the property was originally classified as *Tharisu poramboke* and that he and his predecessors had been in long continuous possession and enjoyment of the same. Based on this alleged long occupation, the appellant asserts that an assignment was issued in his favour and subsequently Patta No.323 was issued on 25.03.2013.

3. The genesis of litigation between the parties reveal multiple rounds of court interventions:

- (a) W.P.No.16393 of 2024: Apprehending dispossession by the revenue authorities who intended to utilize the site for mining operations, the



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appellant filed a writ petition seeking a restraint order. By an order dated 26.06.2024, this Court disposed of the writ petition by directing the official respondents to follow due process of law before evicting the appellant.

(b) W.P.No.37028 of 2024: Pursuant to the absolute mandate of this Court, the fourth respondent issued a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, on 20.11.2024. The appellant challenged this notice before a Division Bench of this Court. By an order dated 05.12.2024, the Division Bench disposed of the writ petition with a direction to treat the notice issued under Section 7 of the Act as a show cause notice, granting liberty to the appellant to submit his explanation, followed by a decision to be taken under Section 6 of the Act.

(c) W.P.No.3329 of 2025: On 18.12.2024, the third respondent passed a detailed order under Section 6 of the Land Encroachment Act, recording that physical inspection of the site revealed no



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agricultural activity, no permanent or temporary structures, and no actual possession by the appellant. It was further recorded that the archival accounts of the Omalur Tahsildar office contained zero evidence or records regarding the grant of any patta or assignment in favour of the appellant. Challenging this eviction order, the appellant filed W.P.No.3329 of 2025. By an order dated 03.02.2025, the learned Single Judge declined to entertain the writ petition on the ground of an alternative, efficacious statutory remedy, granting liberty to the appellant to file an appeal under Section 10 of the Act.

(d) W.P.No.5117 of 2026 (Present Proceedings): The appellant filed a statutory appeal before the first respondent on 04.02.2025. While the statutory appeal remained pending, the first respondent issued an E-Tender notification in Tender File Rc.No.36/2026/Mines-A dated 29.01.2026 inviting bids for rough stone quarrying leases across 15



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identified areas, including the subject land. This notification prompted the appellant to file W.P. No. 5117 of 2026.

4. The learned Single Judge, by the impugned order dated 11.03.2026, dismissed the writ petition, observing that the original 'A' Register of the years 1937 and 1984 produced by the respondent authorities did not bear any entry or endorsement regarding the assignment of land to the appellant. Aggrieved by the dismissal of the writ petition, the appellant has preferred this writ appeal.

5. Learned counsel appearing for the appellant vehemently contended that the learned Single Judge erred fundamentally by ignoring the assignment document and the computerized Patta No.323 dated 25.03.2013 issued by the competent authority. He submitted that when a statutory appeal under Section 10 of the Act is pending consideration before the District Collector, it is arbitrary and legally impermissible for the very same authority to issue a commercial mining tender encompassing the disputed land. It was further contended that the administrative lapses or internal failures



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of the revenue department to properly update their permanent 'A' Registers should not be used to penalize an innocent citizen who holds a valid grant under the law.

6. Learned Government Pleader appearing on behalf of respondents 1 to 6 supported the reasoning of the learned Single Judge. He submitted that the lands are classified as *Government Punja Tharisu* and upon exhaustive verification of the underlying revenue records, no trace of the alleged assignment in favour of the appellant was found.

7. Learned counsel for the seventh respondent brought to our attention a material subsequent development, viz., pursuant to the online E-Tender cum Auction process initialized by the notification dated 29.01.2026, the technical and financial evaluations have concluded, and the rough stone quarrying contract has already been formally granted in favour of the successful bidder, viz., Rangaa and Co., the seventh respondent herein.



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8. We have heard the learned counsel on both sides and perused the extensive documentary evidence compiled across the typed set of papers.

9. The primary challenge mounted by the appellant is against the Tender Notification dated 29.01.2026. The records show that the auction process went ahead because no stay order had been granted. The technical bid was opened on 16.02.2026 and has since been finalized. The mining contract stands fully awarded to the highest eligible bidder, Rangaa and Co..

10. It is settled law that courts will not adjudicate a matter when the relief sought has been rendered purely academic by subsequent events. The prayer in the main writ petition was to call for the records of the tender notification and quash the same in respect of Survey Nos.16/3 and 16/4. Since the tender has already been concluded in favour of the seventh respondent, the prayer challenging the mere invitation to tender has been completely overtaken by events and has rendered the writ petition completely infructuous.



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11. Coming to the core dispute regarding the title and classification of the land, the appellant relies heavily on the assignment and computerized patta transcript. However, the respondent authorities clearly state that these documents find no backing in the permanent village accounts or repository files. The total lack of such foundational entries raises a strong presumption against the validity of the appellant's documents. The resolution of whether these documents are authentic or are the result of an administrative omission requires a detailed examination of facts and evidence. This cannot be done within the summary jurisdiction of a writ court under Article 226 of the Constitution of India.

12. As rightly observed by the learned Single Judge, the appellant has already invoked his statutory remedy by preferring an appeal dated 04.02.2025 before the first respondent under Section 10 of the Act. The learned Single Judge noted that this statutory appeal is still pending. It is also clear from the record that no stay has been granted in those appellate proceedings. Therefore, interest of justice will be fully subserved by keeping the main



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question of title open for proper determination by the statutory appellate authority, rather than stopping a public auction that brings revenue to the State exchequer. The appellant cannot enjoin the State from utilizing its resources based on a disputed claim that is currently being reviewed by an appellate authority.

13. For the reasons stated above, this Court finds no illegality, material infirmity, or perversity in the order passed by the learned Single Judge dismissing the writ petition. The tender process having been finalized and rights having accrued to the seventh respondent, no relief can be granted against the impugned notification.

14. Accordingly, the writ appeal is dismissed. However, it is made clear that the dismissal of this appeal will not prejudice the rights of the appellant in his pending statutory appeal before the first respondent. The first respondent/Appellate Authority is directed to consider the statutory appeal dated 04.02.2025 on its own merits, uninfluenced by any observations made by the learned Single Judge or in this judgment, and pass orders in accordance with law within a period of twelve weeks from the date of receipt of



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a copy of this judgment. There shall be no order as to costs.

Consequently, interim application is closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
03.06.2026

Index : Yes/No
Neutral Citation : Yes/No
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