



WP.No.23871 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MRS.JUSTICE N. MALA

WP No. 23871 of 2026

AND

WMP NO. 25911 OF 2026

S.Jayanthi
W/o. Senthil Kuppusamy,
83 Kuppanna Chettiyar Street,
Palladam Road,
Tiruppur 641 604

..Petitioner(s)

Vs

1. The District Collector
Tiruppur district collectorate,
Tiruppur 641 604
2. The Commissioner
Tiruppur corporation,
Tiruppur 641 604
3. The Revenue Divisional officer
Chairperson of Divisional monitoring
committee,
185 Tiruppur Rd, Kannipiran Colon,
Valipalayam, Tiruppur 641 601
4. The Assistant Commissioner
Zone III, Tiruppur corporation,
Tiruppur 641 604
5. The Tahsildar
Tiruppur south Taluk office,
Sevanthampalayam,
Tiruppur 641 606



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6. The Land surveyor
The South Town Surveyor office,
corporation office,
Tiruppur district

7. Mohammed Ismail
S/o. Abdul Wahap,
13/168 Jai Nagar 3rd Street,
Manikarampalayam Road,
Rakkiyapalayam,
Tiruppur 641 606

..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of ceritorari calling for the records pertaining to the
Impugned Notice Na.Ka. E1/ 3983/ 2024/ M3 dated 11.06.2026 issued by the 4th
respondent and quash the same.

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For Petitioner(s): MR.Balaji Thirumoorthy

For Respondent(s): Mr.B.Sivakollapan, Ga For R1,R3,R5
Mr.Abishek Murthy, St.C. For R2, R4,R6

Order

(Order of the Court was made by Dr.G.Jayachandran J.)

- (1) Mr.B.Sivakollapan, learned Government Advocate accepts notice on behalf of
the respondents 1, 3 and 5 and Mr.Abishek Murthy, learned Standing counsel
accepts notice on behalf of the respondents 2, 4 and 6.



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(2) By consent, the main writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is passed against the 7th

respondent, notice to the 7th respondent is dispensed with.

(3) The petitioner herein, aggrieved by the impugned notice dated 11.06.2026, issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, by the Assistant Commissioner, Corporation of Tiruppur, is before us, seeking to quash the aforesaid notice on the ground that before issuance of the Notice, no opportunity was afforded to her and the alleged survey to identify the encroachment, was not done in her presence.

(4) The learned Government Advocate appearing for the District Collector and the learned Standing counsel appearing for the Corporation of Tiruppur, in unison submitted that this Court in WP.No.33938/2024, filed by one Mohammed Ismail, son of Abdul Wahap, wherein the petitioner herein was arrayed as the 7th respondent, directed the Divisional Monitoring Committee to take a call on the representation given by the writ petitioner therein regarding the alleged encroachment by the 7th respondent therein [writ petitioner herein]. He further submitted that pursuant to the aforesaid direction, a survey was conducted and in the said survey, it was found that the portion of the land in possession of the writ petitioner, has been classified as ‘lane’. The Town Sub Inspector of Survey, South Tiruppur Corporation, submitted his report identifying the encroached portion. Meanwhile, Mohammed Ismail, the petitioner in



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WP.No.33938/2024, had also instituted a petition for contempt.

Consequently, the proceedings of the Revenue Divisional Officer dated 19.05.2026, and the survey report dated 04.09.2025, were taken into consideration and the impugned notice under Section 128 of the Tamil Nadu Urban Local Bodies Act, was issued to the petitioner herein.

- (5) The learned standing counsel appearing for the Corporation submitted that the impugned notice was issued only after affording an opportunity to the petitioner and after survey of the land in her presence and consequent to the direction of this Court.
- (6) The learned counsel for the petitioner, reiterating that the principles of natural justice had not been followed, would submit that the petitioner approached the Civil Court by filing OS.No.134/2025, seeking permanent injunction restraining the official defendants from disturbing her peaceful possession and enjoyment of the property mentioned in the suit schedule. The learned counsel informs that the suit is dismissed on the ground of maintainability and against the dismissal, civil revision petition is filed and pending before this Court.
- (7) It is seen that the plaint, which is the subject matter of OS.No.134/2025, on the file of the Additional District Munsif, Triuppur, has been rejected and the revision is pending. We find that the writ petitioner herein, as plaintiff, admitted that summons dated 16.07.2026, was issued by the Revenue Divisional Officer, for an enquiry and in response to the said summons, the



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writ petitioner had sent a reply on 28.07.2025. Therefore, the averment that the impugned order was passed without affording an opportunity to the petitioner, is *per se* not sustainable and contrary to the own admission of the writ petitioner.

- (8) Since the action of the respondents has emanated after the direction of this Court and after following due procedure, affording an opportunity to the writ petitioner, we are not inclined to entertain this writ petition. If there is any encroachment of the public land, it is high time for the respondents to remove the same.
- (9) In the result, the writ petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(G.J.,J.) (N.M.,J.)
24-06-2026

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

1. The District Collector
Tiruppur district collectorate,
Tiruppur 641 604
2. The Commissioner
Tiruppur corporation,
Tiruppur 641 604
3. The Revenue Divisional officer
Chairperson of Divisional monitoring committee,
185 Tiruppur Rd, Kannipiran Colon,
Valipalayam, Tiruppur 641 601



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4. The Assistant Commissioner
Zone III, Tiruppur corporation,
Tiruppur 641 604
5. The Tahsildar
Tiruppur south Taluk office,
Sevanthampalayam,
Tiruppur 641 606
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**DR.G.JAYACHANDRAN J.
AND
N.MALA J.**

AP

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