



WEB COPY

WP No. 27650 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 27650 of 2022

and

WMP.No.26924 of 2022

P.Karuppusamy

..Petitioner(s)

Vs

1. The District Collector,
Collectorate, Palladam Road, Tiruppur 641
606, Tiruppur District.

2. The Tahsildar,
Uthukuli Taluk, Tiruppur District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorarified mandamus, calling for the records relating to the impugned order in Na.Ka.No 1259/ 2022/ A3 dated 06.05.2022 issued by the 2nd Respondent, quash the same and consequently direct the respondents to grant patta to the property measuring 13,343 ½ sq.ft , comprised in Village Natham No. 204/1, R.S.No. 24, Old SF No. 14/1, Rakkiyalapalayam Village, Uthukuli Taluk, Tiruppur District purchased under a sale deed dated 28.10.2020 (Doc. No. 3613/2020-SRO, Uthukuli) by considering the petitioner's application dated 12.05.2022.



For Petitioner(s): Mr.N.Manoharan

For Respondent(s): Mr. T.Arunkumar
Additional Government Pleader

ORDER

(Order of the Court was made by C.Kumarappan J.)

The present Writ Petition has been filed challenging the impugned order dated 06.05.2022 issued by the Tahsildar, Uthukuli / 2nd respondent.

2. The learned counsel for the petitioner would submit that the subject land viz, S.F.No.204/1 is their absolute property and got title over the same in the year 1992. Whereas the respondent by referring the subject land as Sarkar Poromboke has passed the impugned order. It is the further submission of the learned counsel for the petitioner that without issuing of prior notice, an order has been passed. Hence, the present writ petition is filed.

3. Per contra, learned Additional Government Pleader appearing for the respondents would submit that the subject land is a Sarkar Poromboke land and the petitioner has already filed a suit in O.S.No.304 of 2022 before the District Munsif Court, Uthukuli and subsequently, the same was dismissed for default. Hence, he would submit that there are no grounds to interfere with the impugned order.



4. We have given anxious consideration to the submissions made by the learned counsel on either side.

WEB COPY

5. While looking at the impugned order, we could not find any inference as to the issuance of prior notice under Section 7 of Tamil Nadu Land Encroachment Act, 1905. Therefore, to bring the above notice within the contours of the Tamil Nadu Encroachments Act, we may treat the impugned notice as Section 7 notice issued under Tamil Nadu Land Encroachments Act. Since this Court treats the impugned notice as Section 7 notice, the petitioner is given liberty to submit his reply to the authority concerned within a period of two weeks from the date of receipt of a copy of this order. On receipt of such reply, the 2nd respondent is directed to take appropriate action under the relevant rules of law and if they find any encroachment, they are directed to proceed to remove the encroachment as expeditiously as possible by following the due process of law.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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WEB COPY

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

KKN

To

1. The District Collector,
Collectorate, Palladam Road,
Tiruppur 641 606, Tiruppur District.
2. The Tahsildar,
Uthukuli Taluk, Tiruppur District.

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