



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 33115 of 2022

A.Ganaprakasam

..Petitioner(s)

Vs

1. The District Collector
Chengalpattu District, GST Road,
Chengalpattu – 603001.
2. The Tahsildar,
Thiruporur Taluk, Chengalpattu
District,Chengalpattu - 603110.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India issuing certiorarified mandamus to call for the records of 2nd respondent with regard to notice dated 03.11.2022 in RF XIV C1-3,00,000GBP-Mdo-2006 and quashing the same as illegal and consequently, directing the 2nd respondent to issue appropriate show-cause notice to comply with the procedure under Section 7 of Tamil Nadu land encroachment act 1905.

For Petitioner(s):

Mr.J.Ashwin for Mr.M.Velmurugan

For Respondent(s):

Mr.T.Arun kumar
Additional Government Pleader



ORDER

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

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The present writ petition has been instituted challenging the final notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

2. Learned counsel for the petitioner would submit that a show cause notice under Section 7 has not been issued.

3. The learned Additional Government Pleader appearing for the respondents is unable to produce any record to establish that Section 7 notice was issued prior to issuing the impugned notice under Section 6 of the Act.

4. In view of the said factum, the authorities have violated the procedures as contemplated under the Tamil Nadu Land Encroachment Act.

5. However, learned Additional Government Pleader would submit that encroachments, though identified in the year 2011, issues are protracted, and the encroachers have not been evicted for several years. The subject land has been classified as “Government Meikkal Poromboke” (grazing land).



6. In view of the above facts and circumstances, the impugned notice under Section 6 is converted as Section 7 show cause notice. Petitioner is at liberty to submit his explanation, along with documents if any, within a period of 15 days from the date of receipt of a copy of this order. On receipt of such explanation, respondents shall consider the same and thereafter, proceed with the issuance of Section 6 final notice for removal of encroachments, if any, identified.

7. With the above observations, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
17-03-2026

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

GD

To

1. The District Collector
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Chengalpattu – 603001.
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District, Chengalpattu - 603110.



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

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