



WEB COPY

WP No. 38888 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 38888 of 2025

and

W.M.P.No.43524 of 2025

1. Vadamalai
S/o Arumugam, Residing At Nainarpalayam
Road, Near Aseba Nagar, Chinna Salem
Taluk, Kallakurichi 606 201
2. V. Jaishankar
S/o Vadamalai, Residing At Nainarpalayam
Road, Near Aseba Nagar, Chinna Salem
Taluk, Kallakurichi 606 201
3. V.Prabhu
S/o Vadamalai, Residing At Nainarpalayam
Road, Near Aseba Nagar, Chinna Salem
Taluk, Kallakurichi 606 201
4. V.Logu
S/o Vadamalai, Residing At Nainarpalayam
Road, Near Aseba Nagar, Chinna Salem
Taluk, Kallakurichi 606 201
5. V. Anandhakumar
S/o Vadamalai, Residing At Nainarpalayam
Road, Near Aseba Nagar, Chinna Salem
Taluk, Kallakurichi 606 201

..Petitioner(s)

Vs

1. The District Collector
Kallakurichi Distrct, Office Of The District
Collector,
Kalalkurichi 606 202



2. The Tahsildar
Chinna Salem Taluk, Kalalkurichi 606 201
3. The Revenue Inspector
Chinna Salem Taluk, Kalalkurichi 606 201
4. The Village Administrative Officer
Chinna Salem South Village, Chinna Salem
Taluk, Kalalkurichi 606 201
5. A. Selvam,
S/o Ambayiram, Residing At Aseba Nagar,
West Kaatukottai, Chinna Salem, Taluk,
Kallakurichi 606 201
6. S. Muniyammal
Residing At Aseba Nagar, West Kaatukottai,
Chinna Salem, Taluk, Kallakurichi 606 201

..Respondent(s)

To direct the Respondents 1 to 4 to remove the encroachment made by the 5th and 6th respondents in the government lands situated in Survey No 391/9 Chinna Salem South Village, Chinna Salem Taluk, Kalalkurichi district within a specified time fixed by this Honble Court.

For Petitioner(s): Mr.T.T.Ravi Chandran
for Mr.Sharukumar,S.I.

For Respondent(s): Mr.T.Arun Kumar
Addl.G.P. for R1 to R4
Ms.J.Swetha for R5 & R6

ORDER

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

The relief sought for in the present writ petition is to direct the Respondents 1 to 4 to remove the encroachment.



2. It is not in dispute between the parties that the revenue authorities identified the encroachments and issued section 7 notice. After affording opportunity to the encroachers, final notice under section 6 was issued. An appeal under Section 10 was filed by the aggrieved persons which is pending before the District Collector. Mere pendency of an appeal is not a bar to proceed with the enforcement actions, unless an interim order has been passed under Section 10-B of the Act.

3. Learned Additional Government Pleader would submit that a Civil Suit has been instituted in O.S.No.121 of 2025 on the file of the District Munsif Court at Kallakurichi.

4. However, the aggrieved person who had preferred an appeal is at liberty to pursue their appeal. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected W.M.P.No.43524 of 2025 is ordered on payment of separate court fee.

(S.M.S.,J.) (K.S.,J.)
23-03-2026

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

VSI



To

1. The District Collector
Kallakurichi Distrct, Office Of The District
Collector, Kalalkurichi 606 202
2. The Tahsildar
Chinna Salem Taluk, Kalalkurichi 606 201
3. The Revenue Inspector
Chinna Salem Taluk, Kalalkurichi 606 201
4. The Village Administrative Officer
Chinna Salem South Village, Chinna Salem
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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

vsi

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