



WEB COPY



W.P.Nos.39584 & 39587 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.Nos.39584 & 39587 of 2025

and

W.M.P.Nos.44468, 44469, 44472 and 44473 of 2025

Kasilingam
S/o.Muthusamy

... Petitioner
in W.P.No.39584 of 2025

Selvaraj
S/o.Thangavel

... Petitioner
in W.P.No.39587 of 2025

vs.

1. The District Collector
Perambalur District.
2. The Tahsildar
Kunnam Taluk
Perambalur District.
3. The Revenue Inspector
Keelappuliyur
Kunnam Taluk
Perambalur District.

... Respondents

Page Nos.1/4



W.P.Nos.39584 & 39587 of 2025

Writ Petitions filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, to call for the records relevant to the notices issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 dated 23.09.2025 issued by the 3rd respondent and quash the same as illegal, improper, unreasonable, arbitrary against the principles of natural justice and thereby direct the respondents to issue patta in respect of the property situated in Survey No.333/6, Perumathur South Village, Kunnam Taluk, Perambalur District in the name of the petitioners

For Petitioner in both WPs : Mr.N.Palanisamy

For Respondents in both WPs : Mr.T.Arun Kumar
Additional Government Pleader

COMMON ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The present writ petitions have been instituted challenging the show cause notices issued under Section 7 of “the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)” {hereinafter “1905 Act” for the sake of brevity}. No writ petition is maintainable against the a show cause notice.



W.P.Nos.39584 & 39587 of 2025

WEB COPY

2. The learned counsel for the petitioners would submit that explanations have already been filed.

3. That being so, the authorities are at liberty to consider the same and thereafter, issue a final notice under Section 6 of the 1905 Act. If any encroachments are identified and a final notice under Section 6 is issued, the petitioners may prefer an appeal under Section 10 of the 1905 Act. This being the scheme contemplated under the 1905 Act, the present writ petition is not maintainable.

4. Granting liberty to the petitioners to defend their case in accordance with the procedures contemplated under the 1905 Act, the Writ Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

(S.M.S.,J.) (K.S.,J.)
20.04.2026

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

mk

Page Nos.3/4



WEB COPY



W.P.Nos.39584 & 39587 of 2025

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

mk

To

1. The District Collector
Perambalur District.
2. The Tahsildar
Kunnam Taluk
Perambalur District.
3. The Revenue Inspector
Keelappuliyur
Kunnam Taluk
Perambalur District.

W.P.Nos.39584 & 39587 of 2025

20.04.2026

Page Nos.4/4