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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP No. 43108 of 2026
CNR:{HCMA012428322026}
AND
WMP NO. 48427 OF 2026,WMP NO. 48429 OF 2026

K.A.Azeez Basha
S/o.K.Abdul Salam,
No.28, V.Meera Sahib Theru,
Melvisharam, Ranipet District-632 509.

..Petitioner

Vs

1. The District Collector
   O/o.District Collector Office,
   Ranipet, Ranipet District.

2. The Tahsildar
   O/o.Tahsildar Office,
   Walaja Taluk,Ranipet District.

3. The Commissioner (Municipality)
   Melvisharam Municipality,
   Melvisharam,Ranipet.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records relating to the order in impugned notice dated 07.08.2026, bearing No. Na.Ka. No. 1658/ 2025/F1 passed by the third Respondent and quash the same and consequently forbear the third respondent in anyway interfering with the peaceful enjoyment

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of the premises on in S.No. 369/1 and S.No.221, Melvisharam, Walaja Taluk, Arcot, Sub-Registration District, Vellore District, Ranipet within a reasonable period.

For Petitioner(s): Ms.A.Anisha

For Respondent(s): Mr.K.Surender
Special Government Pleader For R 1 and 2

Order

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

The final notice of eviction issued by the Commissioner, Melvisharam Municipality dated 07.08.2026 is under challenge in the present writ proceedings.

2. The competent authorities of the Municipality during inspection, identified encroachments in the water body. Thus, notice under Section 128 of the Tamil Nadu Urban Local Bodies Act was issued twice ie., on 19.11.2025 and 18.11.2025. Though the petitioner received the notice, he had failed to remove the encroachments as stated in the notice and as contemplated under Section 128(1)(b) of the Act. Since the petitioner has not complied with the notice, the impugned notice was issued by the competent authority. The respondents, after affording opportunity as stated in the notice dated 19.11.2025 and 18.12.2025, issued the final notice of eviction on 07.08.2026, which is under challenge in the present writ petition.

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3. In the present case, the respondents have followed the procedures as contemplated under Section 128 of the Act. Therefore, there is no infirmity in the procedures followed by the respondents. The power of judicial review of the High Court is to ensure that the decision has been taken by following the procedures contemplated under the Act. In the present case, the procedures laid down under the Act have been followed by the authorities and there is no infirmity as such.

4.In view of the said factum, the petitioner has not made out any ground to entertain the writ petition. Hence, the writ petition stands dismissed. No costs. Consequently, W.M.P.No.48429 of 2026 is closed. W.M.P.No.48427 of 2026 is ordered.

(S.M.S.,J.) (R.R.V.,J.)
30-10-2026

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

To

1. The District Collector, O/o.District Collector Office, Ranipet, Ranipet District.
2. The Tahsildar, O/o.Tahsildar Office, Walaja Taluk,Ranipet District.
3. The Commissioner (Municipality) Melvisharam Municipality, Melvisharam,Ranipet.

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Order QR

S.M.SUBRAMANIAM J.
AND
R.RAJESH VIVEKANANTHAN J.

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