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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP No. 45440 of 2026
CNR:{HCMA012469882026}
AND
WMP NO. 50992 OF 2026

Case QR

P.Kandasamy
S/o.Late.Palanisamy Gounder,
No.4/239, Thattan Thottam, katturpudur, kattur
post, pongalur, palladam taluk, Tiruppur - 641667.

..Petitioner(s)

Vs

1. The Tahsildar,
   Palladam taluk, Tiruppur District.

2. The Revenue Inspector,
   Pongalur Firka,
   palladam taluk, Tiruppur District.

3. V.Dharshini,
   D/o.Viswanathan,
   No.4/240, Thattan Thottam, katturpudur, kattur
   post, pongalur, palladam taluk, Tiruppur -
   641667.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records of the 1st respondent pertaining to the impugned notice issued under section 6 of the tamilnadu land encroachment act, 1905 in Na.Ka.1815/2026/A3 dated 25.09.2026 and quash the same as illegal, arbitrary and violative of natural justice and consequently

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forebear the respondents No.1 and 2 from interfering with the peaceful possession and enjoyment of the petitioners property**.**

For Petitioner(s): Mr.M.Sidhardhan

For Respondent(s): Mr.C.Prabhakaran
Special Government Pleader For R 1 & 2

Order

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

The present writ petition has been instituted challenging the final notice for eviction issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 vide proceedings dated 25.09.2026.

2. Learned counsel for the petitioner would submit that the impugned notice under Section 6 was issued before issuing show cause notice notice under Section 7 of the Act. Thus, the notice is to be set aside.

3. Learned Special Government Pleader appearing on behalf of the respondents based on the instructions given by the Tahsildar would oppose by stating that, Section 7 notice had already been issued and served on the petitioner on 22.08.2026. Thus, the contention that Section 7 notice was not served is incorrect.

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4. Be that as it may. The petitioner has not submitted his explanation so far. In order to provide one more opportunity to the petitioner to defend his case, this Court is inclined to grant seven (7) days time to the petitioner from the date of receipt of a copy of this order to submit his explanation along with the documents, if any, in response to the notices already issued. On receipt of such explanation, the competent authority may consider the same and take a final decision and continue the enforcement actions. If any encroachments are identified, the same shall be removed by following the procedures.

5. With the above observations and granting liberty to the petitioner to submit his explanation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (R.R.V.,J.)
11-11-2026

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

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To

1. The Tahsildar,
   palladam taluk, Tiruppur District.

2. The Revenue Inspector,
   Pongalur Firka,
   palladam taluk, Tiruppur District.

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

KST

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