Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

AND

THE HON'BLE MR.JUSTICE GK.MUTHUKUMAAR

WP Nos. 43490 & 43501 of 2026

CNR:{HCMA012562672026}

& WMP Nos. 48802, 48803, 48816 & 48817 of 2026

D.Anandh

..Petitioner(s)

Vs

The Tahsildar
Tiruvarur Taluk,
Tiruvarur District.

..Respondent(s)

WP No. 43501 of 2026

CNR:{HCMA012562662026}

C. Balamurugan

..Petitioner(s)

Vs

The Tahsildar
Tiruvarur Taluk,
Tiruvarur District.

..Respondent(s)

Prayer in W.P.No.43490 of 2026: The Writ Petition is filed under Section 226 of the Constitution of India, seeking for a Writ of Certiorari calling for the entire records leading to the issue of Impugned proceedings made in Na.Ka.No. 2942/ 2026/ Aa5 dated 09.10.2026 on the file of the Respondent/ Tahsildar, Tiruvarur and quash the same.

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Prayer in W.P.No.43501 of 2026: The Writ Petition is filed under Section 226 of the Constitution of India, seeking for a Writ of Certiorari calling for the entire records leading to the issue of Impugned order made in Na.Ka.No. 2942/ 2026/ Aa5 dated 09.10.2026 on the file of the Respondent/ Thasildar, Tiruvarur and quash the same.

In both WPs:

For Petitioner(s): Mr.K.Sridhar
For Respondent(s): Mr.K.Surendar,
Special Government Pleader

COMMON ORDER

(Order of the Court was made by Sunder Mohan J.)

The Writ Petitions challenge the impugned notice dated 09.10.2026 issued under Section 7 of the Tamil Nadu Land Encroachment Act (hereinafter referred to as 'the Act').

2.The learned counsel for the petitioners would submit that the impugned notice though purported to have been issued under Section 7 of the Act, directs the petitioners to vacate from the premises within seven days and no opportunity has been given to the petitioners to show cause why they should not be evicted.

3.The learned Special Government Pleader fairly concedes that by the impugned order the Authorities ought not to have directed the petitioners to

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vacate the premises and ought to have given an opportunity to show cause against the proposed action.

4.The perusal of the impugned notice shows that though it is stated to be a notice under Section 7 of the Act, the authorities have directed the petitioners to vacate the premises within 7 days, which is illegal.

5.Therefore, the impugned notice shall be treated as a notice under Section 7 of the Act and the petitioners are permitted to submit their reply within four weeks from the date of receipt of a copy of this order stating as to why further action should not be taken. It is open to the authorities concerned to take further action on the basis of the reply sent by the petitioners.

6.With the above observation, the Writ Petitions are disposed of. Consequently, the connected miscellaneous petitions are closed.

(S.M.,J.) (G.K.M.,J.)
23-10-2026

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

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SUNDER MOHAN J.
AND
GK.MUTHUKUMAAR J.

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To

The Tahsildar
Tiruvarur Taluk,
Tiruvarur District.

WP Nos. 43490 & 43501 of 2026

& WMP Nos. 48802, 48803, 48816 & 48817 of 2026

23-10-2026

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