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 No. 43503 of 2026 and WMP Nos.48820, 48824 and 48827 of 2026

CNR: {HCMA012563602026}

C.Padmanabhan
S/o.late chinnaraj, No.10/41, Kamaraj Nagar,
Market, Cheyyar, Tiruvannamalai District
604407.

..Petitioner(s)

Vs

1. The District Collector,
   District Collectorate Office,
   Tiruvannamalai District.

2. The Reveue Divisional Officer,
   RDO Office, Cheyyar, Tiruvannamalai District.

3. The Tahsildar,
   Tahsildar Office, Cheyyar Taluk,
   Tiruvannamalai District.

4. The Sub - Divisional Engineer,
   Highways Department, Cheyyar sub Division,
   Cheyyar, , Tiruvannamalai District,
   Tamil Nadu.

5. The Municipal Commissioner,
   Thiruvathipuram Municipality,
   No.1, Anumanathan, Mohammed Pettai Street,
   Cheyyar, Tiruvannamalai District.
   Tamil Nadu 604407.

6. The Inspector of Police,
   Cheyyar Police Station, Arcot Road, Cheyyar,
   Tiruvannamalai District.

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7. Mohaboob Basha,
   S/o.Rahamathula, No.120, Gandhi Road,
   Cheyyar, Tiruvannamalai District.

8. Sharmila,
   W/o.Mohaboob Basha,, No.120, Gandhi Road,
   Cheyyar, Tiruvannamalai District.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned notice issued by the 3rd respondent in P.V. No.1/3402 /2026, dated 02/09/2026 and also consequential eviction notice Na.Ka.Aal /3425/2026, dated 29/09/2026, to quash the same as illegal, arbitrary, without jurisdiction and contrary to law and consequently, to direct the respondents not to interfere with the petitioners peaceful possession and enjoyment in respect of the property bearing Town Survey No.150, situated at Gandhi Road Market, Cheyyar, Tiruvannamalai District, and or obstruct the petitioner from reopening and carrying on the fruit business under the name and style of RC Fruits and not to take any coercive action against the petitioner in respect of the said property except in accordance with law and due process, pending final adjudication of the civil proceedings concerning the subject property.

For Petitioner(s): Mr.K.Praveen Raj
for Mr.G.Mohammed Aseef

For Respondent(s): Mr.K.Surendar
Special Government Pleader
For R.1 to R.5
Mr.C.R.Malarvannan
Additional Public Prosecutor
For R.6

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

The writ petition challenged a communication dated 29.09.2026 addressed by the third respondent to the fifth respondent asking him to take action for evicting the petitioner in survey No.T.S.No.150 as the petitioner allegedly is in illegal occupation of the same.

2. Learned Special Government Pleader would submit that this is an internal communication between the two Government officials and no action has been taken under any enactment to evict the petitioner so far.

3. In response, the learned counsel for the petitioner would submit that pursuant to the impugned communication, the petitioner is sought to be disturbed from the premises.

4. It appears that while dealing with a private dispute leading to a law and order problem, the respondents found that the petitioner was in illegal occupation of a government poramboke land in Survey No.T.S.No.150. Even assuming that to be so the respondents have no authority to direct eviction of the petitioner in the way it has been done by the impugned proceedings. Hence the impugned order is set aside with liberty to the respondents to take appropriate

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action in accordance with law if the petitioner is in illegal occupation of any Government poramboke land.

5. With the above observations, the writ petition is allowed. No costs. Consequently, 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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AND
GK.MUTHUKUMAAR, J.

SR/MMI

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