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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

WP No. 49844 of 2025

1. K.Mahavishnu

Petitioner(s)

Vs

1. The District Collector
Erode District, Erode.

2.The Revenue Divisional Officer /
The Sub Collector,
Gopichettipalayam, Erode District.

3.The Tahsildar,
Anthiyur T.K, Erode District.

4.The Revenue Inspector
Chinnathambipalayam Village,
Anthiyur T.K., Erode District.

Respondent(s)

PRAYER

Call for the records of the impugned notice dated 29.10.2025 by the 4th respondent and quash the same as illegal and consequently direct the respondents 1 to 4 to issue patta to the petitioner in the house site situated at Anthiyur Village, Re.S.No.1390 and Sub division No.1886/ 20 to an extent of 2727 square feet.



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For Petitioner(s): Ms.A.Nethra

For Respondent(s): Mr.T.Arun Kumar
Additional Government Pleader For R1 - 4

ORDER

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

Writ Petition has been instituted challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act').

2. Learned counsel for the petitioner would submit that an explanation has been submitted by the petitioner along with the documents. That apart, a civil suit in OS.No.282 of 2017 is pending on the file of the Sub-ordinate Court, Bavani.

3. In any event, no writ against show-cause notice under Section 7 is entertainable, and after considering the explanation, the competent authority has to issue final notice under Section 6 of the Act.

4. In the present case, learned Additional Government Pleader would submit that Section 6 notice has also been issued. That being the factum, an aggrieved person may prefer an appeal under Section 10 of the Act, 1905.



5. Granting liberty to the petitioner/encroacher to prefer an appeal under Section 10 of the Act, the present writ petition is dismissed. No costs. Consequently, the connection miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
05-01-2026

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



To
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