



DATED : 06.01.2026

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD) No.134 of 2026
and
W.M.P.(MD) No.123 of 2026

... Petitioner

-VS-

- 1.The District Collector
Ramanathapuram
Ramanathapuram District
- 2.The Tahsildar
Kadaladi Taluk
Kadaladi
Ramanathapuram District
- 3.The Executive Officer
Sayalkudi Town Panchayat
Sayalkudi, Ramanathapuram District
- 4.The Assistant Engineer
TANGEDCO / TNEB
Sayalkudi
Ramanathapuram District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the 1st respondent to consider the review petition filed by petitioner dated 26.12.2025 against the 1st respondent's order in Na.Ka.No.B3/23259/2023 dated 20.11.2025 in the subject matter of removal of encroachment in Survey No.185/4, Sayalkudi Village, Kadaladi Taluk, Ramanathapuram District and dispose the same within time frame as fixed by this Court.

For Petitioner : Mr.Raja Karthikeyan

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 & R2
Mr.D.Sasi Kumar
Additional Government Pleader for R3
Mr.S.Deenadhayalan for R4

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

One Lakshmi Ammal claiming herself as a descendant of Karuppiah, who is alleged to have been holding the Samasthanam Patta under the Permanent Settlement Act, 1893, is before this Court seeking a writ of



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mandamus directing the District Collector / first respondent to consider her review petition dated 26.12.2025 and dispose of the same within a time frame fixed by this Court.

2. Learned Special Government Pleader appearing for the respondents 1 & 2 submits that the order of the District Collector dated 20.11.2025 and the consequential notice dated 25.11.2025, issued by the Tahsildar, to remove the encroachment made by the petitioner in the subject land, were the subject matter of challenge in the writ petition in W.P.(MD) No. 35749 of 2025 before this Court and the Division Bench of this Court, after considering the relief sought in the said writ petition, by an order dated 15.12.2025, dismissed the said writ petition by holding that due process of law must be followed while evicting the encroacher from the subject land. While so, when there is no provision for reviewing the order passed by the District Collector and that too after dismissal of the writ petition in W.P.(MD) No.35749 of 2025 by the Division Bench of this Court vide order dated 15.12.2025 and after dismissal of the writ petition in W.P.(MD) No.36861 of 2025 filed by the petitioner challenging the eviction notice dated 19.12.2025 issued by the Tahsildar vide order dated 26.12.2025, the petitioner submitted



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a review petition before the first respondent on 26.12.2025 and within a period of one week therefrom, she has filed this writ petition seeking a direction to the District Collector to consider her review petition and dispose of the same within a time frame fixed by this Court.

3. On perusal of the records, this Court finds that in a civil suit instituted by one M.Krishnan seeking the reliefs of declaration, recovery of possession and also damages, wherein the petitioner herein was also arrayed as the second defendant, the Court has concurrently held that the petitioner herein is the co-owner of the subject property and therefore, there cannot be a declaration of title sought by the plaintiff. Relying upon the said Judgment, the petitioner herein claims that she is the owner of the subject property from which she has now been directed to be evicted by the respondents. However, after due enquiry and on perusal of the records, the Revenue Authorities found that the petitioner herein is not in a position to trace her title through any of the past records and the Samasthanam Patta granted under the Permanent Settlement Act, 1893, does not confer any title to her or her predecessor. In such circumstances, the District Collector has passed the order dated 20.11.2025 directing eviction of the petitioner herein from the



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subject property. Challenging the said order passed by the District Collector and challenging the consequential notice issue by the Tahsildar, the petitioner filed a writ petition in W.P.(MD) No.35749 of 2025 and this Court, by an order dated 15.12.2025, dismissed the said writ petition, which reads as follows:

“Mr.S.R.A.Ramachandran, learned Additional Government Pleader, takes notice for the respondents 1 & 2 and Mr.S.P.Maharajan, learned counsel, takes notice for the third respondent.

2. *The petitioner herein claiming absolute ownership in respect of the property in Survey No. 185/4 of Sayalkudi Group / Sub Division, Kadaladi Taluk, Ramanathapuram District, measuring an extent of 0.17.5 Ares is before this Court challenging the proceedings of the District Collector dated 20.11.2025 as well as the proceedings of the second respondent dated 25.11.2025.*

3. *The subject land is a Government Poramboke land, wherein the encroachers had put up a shopping complex and were enjoying it for a quite some. Earlier, notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, were caused to the encroachers and the same was challenged by them before this Court in W.P.(MD) No.24439 of 2023*



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and this Court, by an order dated 13.10.2025, had directed the writ petitioners to prefer appeal before the District Collector concerned for effective adjudication of all the issues on merits. Pursuant to the said direction, the encroachers approached the District Collector by way of appeal and the District Collector, after adjudication of the issues, issued the proceedings dated 20.11.2025, which is impugned in this writ petition.

4. *We find from the records that after issuance of the proceedings dated 20.11.2025 by the first respondent, the second respondent has also issued a proceedings dated 25.11.2025 to the petitioner, who is in illegal occupation of the Government land.*

5. *Learned counsel for the petitioner would submit that the proceedings of the District Collector dated 20.11.2025 and the proceedings of the second respondent dated 25.11.2025 were issued behind the back of the petitioner herein and the respondents 5 to 8 are the erstwhile owners of the subject property, who sold the same to the petitioner herein through a registered deed and therefore, the impugned proceedings are to be quashed.*



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6. *Learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that the illegal occupants of the Government Poramboke land, who make untenable contentions one after another, are squatting over the subject property. In the earlier round of litigations i.e., in W.P.(MD) No. 21286 of 2023 and W.P.(MD) No.24439 of 2023, vide orders dated 31.08.2023 and 13.10.2023 respectively, this Court has held that the occupants are encroachers and they must be evicted by following due process of law. Therefore, having the due process of law been followed by the respondents, there is no merit in the present writ petition. This Court is satisfied with the defence raised by the Government. Admittedly, being a poramboke land, the inter transfer of the subject property by way of a registered deed will not enure any title to the petitioner herein.*

7. *Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.”*



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4. The petitioner has found an ingenious way to protect her squatting over the subject property and therefore, after dismissal of her earlier writ petition in W.P.(MD) No.35749 of 2025 on 15.12.2025 with the reasonings as extracted above, under the guise of review, on 26.12.2025, she submitted a review petition before the District Collector / first respondent seeking to review his order dated 20.11.2025 and thereafter, she has rushed to this Court by filing the present writ petition seeking a direction to the District Collector to consider her review petition and dispose of the same within a time frame fixed by this Court.

5. It is brought to the notice of this Court that the petitioner also failed in her attempt challenging the eviction notice dated 19.12.2025 issued by the Tahsildar after dismissal of her earlier writ petition in W.P.(MD) No. 35749 of 2025 vide order dated 15.12.2025.

6. In such circumstances, we are of the view that the attempt of the petitioner is a clear abuse of process of law. By filing repeated writ petitions, the petitioner has caused inconvenience to the Government as well as to the Court. This is the fourth round of litigation with an ill motive to stall



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the eviction process initiated by the respondents in the year 2023 and the same has to be curbed by imposing costs.

7. Accordingly, this writ petition is dismissed with costs of Rs.20,000/- (Rupees twenty thousand only) payable by the petitioner to the Government of Tamil Nadu, within a period of two weeks from the date of receipt of a copy of this order. The District Collector / first respondent is directed to verify as to whether the petitioner pays the said costs amount within the prescribed period and if the petitioner fails to pay the costs amount within the prescribed period, the District Collector / first respondent shall take necessary distraint action against the petitioner for recovery of the costs amount. Consequently, connected miscellaneous petition is closed.

[G.J., J.]

[K.K.R.K., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Ramanathapuram District.
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Kadaladi Taluk,
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