



W.P.(MD)No.2889 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.(MD)No.2889 of 2026

and

W.M.P.(MD)Nos.2383, 2384 and 2385 of 2026

Palaniamma

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order issued by the 1st respondent in Ne.Mu.No.3982250/2025/E1, dated 10.01.2026 by confirming the order passed by the 2nd respondent in Na.Ka.No.7072/2024/A2, dated 22.10.2025 to quash the same as illegal and directing the respondents not to disturb the peaceful possession and enjoyment of the petitioners residential house situated at No.458/30 at Kottur Village, Thirumayam Taluk, Pudukkottai District.



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For Petitioners : Mr.D.Rameshkumar
For Respondents : Mr.D.Sasikumar (R1 & R2)
Additional Government Pleader

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the eviction notice issued by the first respondent dated 10.01.2026 and for a consequential direction to the respondents not to disturb the peaceful possession and enjoyment of the petitioner's residential house situated at No.458/30 at Kottur Village, Thirumayam Taluk, Pudukkottai District.

2.The main contention of the petitioner is that the impugned eviction notice has been issued on the premise that the petitioner has encroached upon Government land to an extent of 2.85 cents. However, according to the information obtained by the petitioner under the Right to Information Act, the extent of Government land in Survey No. 458/24 is only 0.04.0 ares, and the same has been recorded as temple property in the revenue records. Therefore, it is contended that there is a clear contradiction between the information furnished under the RTI Act and the notice issued under the provisions of the Land Encroachment Act,



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and the proceedings initiated by the authorities concerned is unsustainable.

3.The learned Additional Government Pleader appearing on behalf of the official respondents, on instructions, submitted that, as against the eviction order, the petitioner has already preferred an appeal before the first respondent and the same has been dismissed. It is further submitted that a statutory remedy of revision is available to the petitioner as against the said order of dismissal.

4.Heard the learned counsel appearing on either side and perused the materials placed on record.

5.Be that as it may, since the appeal preferred by the petitioner has already been dismissed, it is open to the petitioner to challenge the said order by way of revision before the Government under Section 10-A(c) of the Land Encroachment Act. While filing such revision, the petitioner is also at liberty to seek interim stay of the impugned order under Section 10-B of the Act. The petitioner shall file such revision before the Government within a period of 30 days from the date of



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receipt of a copy of this order. Till such time, there shall be no coercive action as against the petitioner.

6. With the above observations and directions, this writ petition stands disposed of. Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
17.03.2026

Index : Yes/No

NCC : Yes/No

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