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W.P.(MD) No.3671 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2026

CORAM:

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

**W.P.(MD) No.3671 of 2026
and
W.M.P.(MD) No.2981 of 2026**

B.V.V. Paper Industries Limited
rep.by its Authorized Signatory
Praveen Sampath
Having Office at
No.148, Palani Road
Venkatesa Mill (P)
Udumalaipet, Tiruppur-642 128
Registered office at
443/1A, Nallur Village
Pushpathur (Post)
Palani, Pushpathur
Dindigul, Tamil Nadu-624 618

... Petitioner

-VS-

1.The District Collector
Dindigul District
Collector Office Main Road
Chennamanayakkanpatti
Dindigul, Tamil Nadu-624 004



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2.The Tahsildar
Palani Taluk
Dindigul District-624 004

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents not to take any precipitative or coercive steps in the land comprised in S.No.293/1B, measuring 0.98.00 Hectares (2.43 acres), situated at Palani Taluk, Dindigul District, pursuant to the order dated 25.07.2025 in NA.KA.No.8068/2023/A6 passed by respondent No.2, till such time statutory appeal filed by the petitioner under section 10 of the Tamilnadu Encroachment Act, 1905 is disposed of and the final order is duly communicated to the petitioner.

For Petitioner : Mr.M.K.Krishnan, Senior Counsel
for M/s.Sarvabhauman Associates

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

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

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents.



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2. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

3. The land, comprised in Survey No.293/1B, measuring an extent of 2.43 Acres, in Palani Taluk, Dindigul District, which is declared as “Surplus Land” under the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, is alleged to have been purchased by the petitioner herein. According to the petitioner, in the said land, he is running a Paper Mill. The consistent efforts taken by the Government to retrieve the said land are being interfered with by the petitioner on various occasions by filing writ petitions before this Court. The last such writ petition is W.P.(MD) No.31469 of 2025, wherein the notice issued by the Tahsildar under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, was challenged by the petitioner herein on the ground that he has preferred an appeal before the Appellate Authority and therefore, till the disposal of the appeal, *status quo* should be maintained. The said writ petition was disposed of by this Court on 06.11.2025. Thereafter, the appeal filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, pending before the District Collector was dismissed on 22.01.2026.



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Pursuant to the dismissal of the petitioner's appeal, it appears that the revenue officials have taken steps to remove the encroachment in the subject land. At this juncture, the present writ petition is filed by the petitioner seeking a writ of mandamus directing the respondents not to take any precipitative or coercive steps to remove the encroachment in the subject land till a breathing time is given to him to prefer a statutory appeal before the authority concerned.

4. Citing Section 10A(1)(c) of the Tamil Nadu Land Encroachment Act, 1905, learned Senior Counsel appearing for the petitioner states that the order of the Appellate Authority, namely, District Collector is amenable for revision under the said provision before the Revisional Authority and hence, adequate opportunity must be given for the writ petitioner to prefer a revision in accordance with law challenging the order passed by the District Collector, dated 22.01.2026, rejecting the appeal preferred by the petitioner. He would further submit that the order dated 22.01.2026, passed by the District Collector in the appeal preferred by the petitioner, has not been served on the petitioner sofar.



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5. Learned Special Government Pleader appearing for the respondents, on instructions, submits that the order of the District Collector, dated 22.01.2026, was despatched to the petitioner by post on 06.02.2026. A copy of the said order has now been served to the learned counsel on record for the petitioner.

6. Service of the copy of the order dated 22.01.2026, passed by the District Collector in the appeal preferred by the petitioner, to the learned counsel on record for the petitioner is deemed to have been served on the petitioner.

7. In view of the above, the petitioner is given liberty to prefer a revision before the Revisional Authority challenging the order dated 22.01.2026, passed by the District Collector, in accordance with law, within a period of fifteen days from today. Till then, no coercive steps shall be taken by the respondents against the petitioner. If the petitioner fails to prefer revision before the Revisional Authority within the time granted or no stay is granted by the Revisional Authority in the revision filed by the petitioner, it is open to the respondents to proceed with the matter in accordance with law.



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8. With the above observations, this writ petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

[G.J., J.]

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

10.02.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Dindigul District,
Collector Office Main Road,
Chennamanayakkanpatti,
Dindigul, Tamil Nadu-624 004.
- 2.The Tahsildar,
Palani Taluk,
Dindigul District-624 004.



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