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W.P.(MD) No.4201 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2026

CORAM:

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

**W.P.(MD) No.4201 of 2026
and
W.M.P.(MD) No.3495 of 2026**

1.Selvarani

2.Ragupathy

... Petitioners

-VS-

1.The District Collector
Karur District, Karur

2.The Revenue Divisional Officer
Kulithalai, Karur District

3.The Sub-Registrar
Kulithalai
Karur District

4.The Tahsildar
Krishnarayapuram Taluk
Karur District

5.M.Krishnamoorthy

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents Nos.1 to 4 from remove the encroachment in survey no.161/1 & 3 in Maynoor village, Krishnarayapuram Taluk, Karur District, without following the provisions of the Tamilnadu Encroachment Act, 1905 and consequently direct the respondent no.1 to 4 to consider the representation dated 06.11.2020.

For Petitioners : Mr.N.Jeyaram Sidharth

For Respondents : Mr.J.Ashok
Additional Government Pleader for R1 to R4

ORDER

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

This writ petition is filed seeking a writ of mandamus to forbear the revenue authorities from resorting to the eviction process without following the due process as contemplated under the Tamil Nadu Land Encroachment Act, 1905.



W.P.(MD) No.4201 of 2026

WEB COPY

2. Mr.J.Ashok, learned Additional Government Pleader, who takes notice for the respondents 1 to 4, on instructions, submits that on 18.09.2021, proceedings under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, were initiated and the encroachers, including the petitioners herein, were served with the notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, by affixture, since they refused to receive the same. Thereafter, the revenue authorities proceeded to issue notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, since no objections were received from the encroachers. Thereafter on 05.10.2021, notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, was issued to the encroachers. Meanwhile, a contempt petition for not enforcing the order of the Court to remove the encroachments has been filed before this Court and the same is pending. Sensing that the revenue authorities will take action for removal of encroachments, the petitioners have filed the present writ petition, on the ground that no notice was issued to them and the attempt to evict them arbitrarily from the subject land is in pipeline.



W.P.(MD) No.4201 of 2026

WEB COPY

3. In support of his contentions, learned Additional Government Pleader produced the files before this Court. A perusal of the files clearly indicate that the attempt to serve notices issued under Section 7 and 6 of the Tamil Nadu Land Encroachment Act, 1905, ended in futile. Since the petitioners have refused to receive the said notices, which were sent through postal, the same were returned with an endorsement “Refused” and the postal covers are also available in the files. Therefore, it is clear that the petitioners herein suppressing the fact of affixture of the Section 6 notice as well as the refusal to receive the notice sent through post have filed this writ petition seeking a writ of mandamus to direct the revenue authorities to follow the procedures established under law before evicting them from the encroached portion. The files also amply prove that due process of law has already been followed and therefore, there is no merit in this writ petition, which has been filed with suppression of fact. Hence, we are not inclined to entertain this writ petition.



W.P.(MD) No.4201 of 2026

WEB COPY

4. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions is closed.

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

13.02.2026

(2/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The District Collector,
Karur District, Karur.
- 2.The Revenue Divisional Officer,
Kulithalai, Karur District.
- 3.The Sub-Registrar,
Kulithalai,
Karur District.
- 4.The Tahsildar,
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