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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.03.2026**

CORAM:

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

W.P.(MD)No.5700 of 2026
and
W.M.P.(MD)Nos.4748 and 4749 of 2026

Balu

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Tahsildar,
Tahsildar Office,
Thiruppathur Taluk,
Sivagangai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned notice Na.Ka.No.A6/764/2019 dated 23.02.2026 issued by the second respondent for removal of encroachment made by the petitioner in Survey No.426/55 consisting 0.00.10 sq.m., land at Alampatti Village, Madavaryanpatti, Thiruppathur Taluk, Sivagangai District and quash the same.



For Petitioner : Mr.K.Gokul
For Respondents : Mr.S.P.Maharajan (R1 & R2)
Special Government Pleader

ORDER

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

This writ petition is filed challenging the eviction notice dated 23.02.2026.

2.As against the order of eviction, an appeal remedy is provided under Section 10 of the Act, to the District Collector. When the Act provides for an effective appeal remedy before the District Collector against the eviction notice under Section 6 of the Act, without exhausting the same, it would not be appropriate to entertain the present Writ Petition.

3.It is to be further noted that the impugned eviction notice has been issued pursuant to the order passed by this Court in W.P.(MD)No. 22429 of 2025.



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4. In such view of the matter, the petitioner shall file appeal before the District Collector under Section 10 of the Act. On such appeal is being filed, the District Collector shall dispose of the same on merits and in accordance with law.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
02.03.2026

Index : Yes/No
Internet : Yes
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To

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Sivagangai District.
2. The Tahsildar,
Tahsildar Office,
Thiruppathur Taluk,
Sivagangai District.



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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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