



W.P(MD)No.9533 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2026

CORAM:

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

**W.P(MD)No.9533 of 2026
and
W.M.P(MD)No.7601 of 2026**

A.Chokkan

... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur Revenue Divisional Office,
Narasingampatti R Vellaripatti,
Melur Taluk,
Madurai District,
Madurai - 625 122.

3.The Tahsildar,
Melur Taluk Office
Melur -625 106,
Madurai District.

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4.The Block Development Officer,
Kottampatty, Panchanyant Union Office,
Kottampatty, Melur Taluk,
Madurai District.

5.The Revenue Inspector,
Kottampatty RI Office,
Kottampatty,
Melur Taluk,
Madurai District.

6.A.Chandran

7.C.Arumugam

8. C.Sakthivel

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned eviction notice issued dated 09.02.2026 issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, by the fifth respondent and quash the same as illegal, arbitrary and violative of the principles of natural justice and consequently to directing the respondents 1 to 3 to conduct a fresh, comprehensive and end-to-end survey of the entire public pathway in Survey No.220/49, Sokkalingapuram Village, Melur Taluk, Madurai District, after issuing notice to all stakeholders, including the private respondents, and thereafter take action strictly in accordance with law against the actual encroachers within a time frame to be fixed by this Court.

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For Petitioner : Mr.N.Mohamed Ayyadurai

For Respondents : Mr.J.Ashok (R1 to R5)
Additional Government Pleader

ORDER

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

Challenging the notice issued under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, by the fifth respondent, the petitioner has filed the present Writ Petition, seeking a direction to the respondents 1 to 3 to conduct a fresh, comprehensive, and end-to-end survey of the entire public pathway in Survey No. 220/49, Sokkalingapuram Village, Melur Taluk, Madurai District, after issuing notice to all stakeholders, including the private respondents, and thereafter take action strictly in accordance with law against the actual encroachers.

2.The petitioner, a resident of Sokkalingapuram Village, Melur Taluk, Madurai District, has been peacefully occupying a dwelling house in



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Natham Survey No. 220/52, covered by Patta No. 598, for several decades.

His old mud-walled house partially collapsed into an adjacent public pathway in Survey No. 220/49. Earlier, he petitioner filed a Writ Petition in W.P.(MD)No.25784 of 2025, which was disposed of on 12.11.2025, directing the authorities to act in accordance with law and permitting the petitioner to produce documents to establish his title.

3.Despite this, the fifth respondent issued an eviction notice dated 09.02.2026 under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, without conducting a full survey or considering the petitioner's title, selectively targeting him while ignoring other encroachments. The petitioner filed a statutory appeal under Section 10 of the Act on 14.02.2026, which is still pending, but coercive action has been initiated against him. The petitioner contends that the impugned notice is illegal due to non-application of mind, lack of jurisdictional satisfaction, failure to conduct a comprehensive survey and violation of natural justice.



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

5.On perusal of the records, it is evident that only a Section 7 notice has been issued seeking an explanation from the petitioner. The petitioner is required to furnish a proper reply to the show-cause notice. Upon receipt of such reply, the authorities concerned shall consider the same and pass appropriate orders on merits, strictly in accordance with law, after affording the petitioner an opportunity of hearing. In such circumstances, the Writ Petition does not warrant any interference.

6.Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
07.04.2026

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