



W.P(MD)No.6105 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2026

CORAM:

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

**W.P(MD)No.6105 of 2026
and
W.M.P(MD)No.5131 of 2026**

A.Mohammed Yacoob

... Petitioner

vs.

**1.The District Collector,
Trichy District, Trichy.**

**2.The Revenue Inspector,
Thottiyam Taluk,
Thottiyam,
Trichy District.**

**3.The Tahsildar,
Thottiyam Taluk,
Thottiyam,
Trichy District.**



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4.Thottiyam Panchayat Union,
Represented by its Executive Authority,
Panchayat Union Building,
Thottiyam Village and Taluk,
Trichy District.

5.Kolakkudi Panchayat,
Represented by its Executive Authority,
Kollakudi,
Thottiyam Taluk,
Trichy District.

... 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 notice dated 06.10.2025 issued by the second respondent and the consequential impugned notice dated 06.02.2026 made in Na.Ka.AA3/4366/2025 on the file of the 3rd respondent and to quash the same as illegal and further forbearing the respondents from interfering with the petitioners use and access with respect to his front portion of the property in S.F.No.86/15 in Kollakudi Village, Thottiyam Taluk, Trichy District.

For Petitioner : Mr.G.Sridharan

For Respondents : Mr.S.P.Maharajan (R1 to R3)
Special Government Pleader



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ORDER

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

Challenging the impugned notices issued by the second and third respondents under Sections 7 and 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as “the Act, 1905”), dated 06.10.2025 and 06.02.2026 respectively, the petitioner has filed the present Writ Petition. The petitioner has also sought a consequential direction forbearing the respondents from interfering with the petitioner’s use and access with respect to the front portion of his property in S.F. No.86/15, situated in Kollakudi Village, Thottiyam Taluk, Trichy District.

2.It is the case of the petitioner that between his property and the north–south main road, there exists a vacant space which was originally classified as “Natham” land. According to the petitioner, he has access to his house and shops from the main road only through the said vacant space, wherein an asbestos sheet structure has been put up. While so, the



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respondents 2 and 3 have issued the impugned notices stating that the land has vested with the Government.

3.It is the further case of the petitioner that since the land is classified as Natham land, the same would not vest with the Government. Therefore, according to the petitioner, the notices issued under Sections 7 and 6 of the Act, 1905 are not sustainable.

4.At the outset, we are of the view that as against the order of eviction, an appellate remedy is provided under Section 10 of the Act, 1905 before the District Collector. When the Act provides for an effective appellate remedy before the District Collector against the eviction notice issued under Section 6 of the Act, 1905, without exhausting the said remedy, it would not be appropriate for this Court to entertain the present Writ Petition.



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5. In such view of the matter, the petitioner is at liberty to file an appeal before the District Collector under Section 10 of the Act, 1905 within a period of two weeks from the date of receipt of a copy of this order. On such appeal being filed, the first respondent is directed to consider the same and pass appropriate orders on its own merits, and to take further proceedings in accordance with law, after providing sufficient opportunity of personal hearing to the petitioner as well as to any other persons interested in the subject matter, within a period of eight (8) weeks thereafter. Till such time, the respondents are restrained from taking any coercive action.

6. With the above observations, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
06.03.2026

NCC : Yes / No
Index : Yes / No
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Trichy District, Trichy.

2.The Revenue Inspector,
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Thottiyam,
Trichy District.

3.The Tahsildar,
Thottiyam Taluk,
Thottiyam,
Trichy District.

4.Executive Authority,
Represented by its Thottiyam Panchayat Union,
Panchayat Union Building,
Thottiyam Village and Taluk,
Trichy District.

5.Executive Authority,
Represented by its Kolakkudi Panchayat,
Kollakudi,
Thottiyam Taluk,
Trichy District.



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N.SATHISH KUMAR, J.
and
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ORDER MADE IN
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