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W.P.(MD)NO.7717 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7717 of 2026

and

W.M.P.(MD)No.6297 of 2026

Ponmani

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District.
2. The Sub District Collector,
Virudhunagar District.
3. The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
4. The Tahsildar,
Sivakasi Taluk Office, Sivakasi,
Virudhunagar District.
5. The Village Administrative Officer,
Anaiyur Panchayat,
Sivakasi Taluk,
Virudhunagar District.

6. Sundari

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice dated 23.02.2026 issued under Section 6 of the Tamil Nadu Land Encroachment Act by the respondent No.3 and quash the same as illegal and consequently direct the respondent No.3 to consider the petitioner's representation dated 02.03.2026.

For Petitioner : Mr.SMA.Jinnah

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2.The petitioner questions the impugned order issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. According to the petitioner, the land in question is a patta land. It is well settled that Section 6 of the Act can be invoked only if the property belongs to the Government. A copy of the patta has also been enclosed in the typed of papers. It is seen therefrom that Survey No.7/1D is a patta land. It is only on the patta land, the petition mentioned temple has



been constructed. In fact, the learned Additional Government Pleader is fair enough to state that the order appears to have been erroneously issued. Hence, we quash the same. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
26.03.2026

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

To:

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3. The Revenue Divisional Officer,
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4. The Tahsildar,
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