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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.8747 of 2026

and

W.M.P.(MD)No.7073 of 2026

Santhanakrishnan

... Petitioner

Vs.

1.The Tahsildar,
Aathur Taluk,
Dindigul District.

2.The Block Development Officer,
Aathur Taluk,
Dindigul District.

3.The Revenue Inspector,
Chinnalapatti Sub Division,
Dindigul District.

4.The Village Administrative Officer,
Alamarathupatti Village,
Aathur Taluk,
Dindigul District.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records



relating to the impugned notice dated 10.03.2026 passed by the third respondent and quash the same as illegal and consequently direct the respondents not to interfere with the petitioner's peaceful possession.

For Petitioner : Mr.P.Manikanan
For Respondents : Mr.A.Kannan (R1,R3 & R4)
Additional Government Pleader
Mr.J.Ashok (R2)
Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition challenging the show cause notice under the provisions of the Land Encroachment Act issued by the third respondent as illegal and for a consequential direction to the respondents not to interfere with the petitioner's peaceful possession.

2.Mr.A.Kannan, learned Additional Government Pleader, accepts notice for the respondents 1, 3 and 4 and Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the second respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.



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4.The show cause notice dated 10.03.2026 issued by the respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') is under challenge in this Writ Petition. Since it is only a show cause notice, seeking explanation from the petitioner, the petitioner has to give his reply for the same. The petitioner without submitting his explanation has prematurely filed this writ petition.

5.Therefore, the petitioner is directed to appear before the respondent with all relevant records and give his reply within a period of two weeks from the date of receipt of a copy of this order. On such appearance, the respondent is directed to conduct an enquiry and considering the reply given by the petitioner, pass appropriate order under Section 6 of the Act within a period of six weeks thereafter.

6.Further, perusal of the revenue records annexed by the petitioner in the typed set of papers, we find that the subject land is classified as Grama natham. If the land is classified as Grama Natham in the revenue records, the question of applying the provisions of the Land Encroachment Act does not arise at all. Hence, the authorities, before



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proceeding further, are directed to ensure the nature of the land and pass appropriate orders.

7. With the above direction, this Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
01.04.2026

Index : Yes/No

Internet : Yes

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To

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Dindigul District.
4. The Village Administrative Officer,
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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