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W.P.(MD)NO.901 OF 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MRS.JUSTICE R.POORNIMA

W.P.(MD)No.901 of 2019

and

W.M.P.(MD)No.727 & 728 of 2019

1. Arumugam
2. C.Balu
3. Pancharasaram
4. Balasubramanian
5. Nagaraj
6. Subbaiah
7. Neelakandan
8. Dharmaraj
9. Adaikalam
10. Thangamani
11. Thirunavukarasu
12. Karuppaiah
13. Murugesan
14. Ramu

... Petitioner

Vs.

The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for records relating to the impugned eviction order made by the respondent in his proceedings Nil dated 17.12.2018 and quash the same as illegal.



For Petitioner : Mr.SA.Iniyavan Abdullah,
for M/s.Ajmal Associates.

For Respondent : Mr.T.Amjad Khan,
Government Advocate.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

The writ petitioner herein challenges the order dated 27.11.2018 passed by the Tahsildar, Thiruvadanai Taluk under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. The order impugned in this writ petition is liable to be quashed on a short ground.

2. It is well settled that before passing an order under Section 6 of the Act, notice under Section 7 of the Act must be given. In the case on hand, this notice has not been given. A specific ground has also been taken to this effect in the affidavit filed in support of the writ petition. The counter affidavit filed by the respondent does not meet this ground. It is not the case of the respondent that notice under Section 7 of the Act was issued. Hence the order impugned in the writ



petition is quashed. This writ petition stands allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)
23rd March 2026

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

PMU

To:

The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.



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