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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.06.2026**

CORAM:

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

AND

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

W.P.(MD)No.11595 of 2026

and

W.M.P.(MD)No.8826 of 2026

1.V.Nagappan

2.V.Veerapandi

... Petitioners

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Aathur Taluk, Aathur,
Dindigul District.

3.The Block Development Officer,
Aathur Panchayat Union,
Sempatti,
Dindigul District.

4.The Revenue Inspector,
Chinnalapatti,
Aathur Taluk,
Dindigul District.

5.Ravichandran

...Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the Impugned Order of the 2nd Respondent in Na.Ka.No. 807/2026/Aa2 dated 7.4.2026 and quash the same as illegal and consequently direct the Respondents 1 to 4 to desist from interfering in the peaceful possession and enjoyment of patta lands comprised in Survey Nos.236/1A1, 236/1A2, 236/1A4, 236/1B1, 236/1B3, 236/2A2, 236/2B2, 236/2B4, 236/2B6, 236/1A3, 236/1B2, 236/2A1, 236/2A3, 236/2B1 and 236/2B3 situated at Ambathurai Village, Aathur Taluk, Dindigul District.

For Petitioner : Mr.R.R.Kannan
For Respondents : Mr.C.Jeganathan (R1 to R4)
Counsel for the State
Mr.J.S.Murali (R5)

ORDER

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

The instant writ petition is filed challenging the order passed by the second respondent under Section 6 of the Land Encroachment Act.

2.The order of eviction has been challenged by the petitioner only on the ground that the subject property is the private property. However, the order passed by the second respondent clearly shows that the subject property is classified as 'nilaviyal pathai' in the revenue



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records. On the basis of the said records, the eviction proceedings have been undertaken by the respondents.

3. At any event, we are of the view that the order issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') is appealable before the District Collector under Section 10 of the Act. Without exhausting the appeal remedy, the petitioner has filed this Writ Petition. Therefore, the petitioner is directed to file an appeal before the District Collector within a period of fifteen (15) days from the date of receipt of a copy of this order. On receipt of the said appeal, the District Collector is directed to dispose of the same on merits and in accordance with law after affording opportunity of hearing to the petitioner as well as any other interested parties. Until the petitioner files an appeal before the District Collector and appropriate orders are passed thereon, status quo prevailing as on today shall be maintained. It is made clear that in the event of failure on the part of the petitioner to file an appeal within the aforesaid period, the respondents are directed to proceed further in accordance with law.



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

No costs. Consequently, connected miscellaneous petitions are closed

[N.S.K., J.] & [M.J.R., J.]
12.06.2026

Index : Yes/No
Internet : Yes
ta

To

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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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