



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.05.2026

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

and

THE HONOURABLE MR.JUSTICE P.VADAMALAI

W.P.(MD)No.14387 of 2026

and

W.M.P.(MD)Nos.10821 & 10822 of 2026

Gopalakrishnan

... Petitioner

-VS-

1.The District Collector / Monitoring Committee,
Dindigul District,
Dindigul.

2.The Tahsildar,
Aathur,
Dindigul District.

3.The Block Development Officer,
Aathur,
Dindigul District.

4.The Village Administrative Officer,
Pithalaipatti Panchayat,
Aathur Taluk,
Dindigul District.



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5.The Revenue Inspector,
Pithalaiipatti Panchayat,
Aathur Taluk,
Dindigul District.

6.Karuppaiah

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings passed by the second respondent in ந.க.எண்.810/2025/ஆ2 dated 14.05.2026 and quash the same as illegal.

For Petitioner : Mr.P.Manikandan

For Respondents 1 to 5 : Mr.R.Parthiban,

Counsel for State of Tamil Nadu

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The Writ Petition is filed challenging the impugned order passed by the second respondent dated 14.05.2026.

2.The learned Counsel for the petitioner submits that the petitioner's father and his brothers were in possession of the property in S.No.199/2 in Pithalaipatti Village and they have been granted Patta No.424 by the



Tahsildar, Aathur Taluk. Later, the petitioner has availed financial assistance under the Kalaingar Kanavu Illam Thittam, during the year 2024 and has put up a house in the land allotted to the petitioner. While so, without notice, the official respondents are initiating steps to demolish the house by impugned proceedings. Thereby, the petitioner is constrained to approach this Court.

3.Per contra, learned State Counsel appearing for the official respondents would submit that the impugned notice is given in respect of removing the staircase, which has been constructed in the pathway. Though the petitioner is entitled to build the house in the land allotted to him, he has put up the stairs in the pathway to an extent of 0.00.08 sq.mt and the official respondents are taking steps to remove the said encroachment. He would further submit that the petitioner was put on due notice and he was served with notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 on 27.02.2025 and subsequently, notice under Section 6 was issued on 30.06.2025. Since the petitioner has failed to remove the encroachments, now the official respondents are taking steps to remove the encroachments.

4.At this juncture, learned Counsel for the petitioner would pray that the petitioner may be permitted to file an appeal against the orders passed under the Tamil Nadu Land Encroachment Act, 1905, and till such time, the respondents may be directed to maintain *status quo*. Learned Counsel for



the petitioner would also submit that if it is found that the staircase is in an encroached area, the petitioner undertakes to remove the same at his own cost.

5. In view of the above, this Writ Petition stands disposed of, on the following terms:

(i) Within three [3] weeks from the date of receipt of the web copy of the order, the petitioner shall file an appeal as against the orders passed under the Tamil Nadu Land Encroachment Act, 1905, under Section 10 of the Act, before the District Collector, Dindigul.

(ii) Upon such filing of the appeal, the same shall be treated as within time and the same shall be disposed of, in the manner known to law, within four [4] weeks from the date of receipt of the appeal.

(iii) In the interregnum, let no eviction be done pending the disposal of the appeal. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[A.D.J.C., J.] & [P.V.M., J.]
27.05.2026

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



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A.D.JAGADISH CHANDIRA, J.

AND

P.VADAMALAI, J.

MR

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