



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.06.2026**

CORAM:

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

AND

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

W.P.(MD)No.15353 of 2026

and

W.M.P.(MD)No.11509 of 2026

Chandrasekar

... Petitioner

Vs.

1.The District Collector,
O/o.District Collector Office,
Dindigul District.

2.The Tahsildar,
O/o.Tahsildar Office,
Palani Taluk
Dindigul District.

3.Subramanian

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned notice dated 06.05.2026 issued by the second respondent and quash the same as illegal.

For Petitioner	: Mr.M.Sridharan
For Respondents	: Mr.S.Venkatesh (R1 and R2)
	Counsel for State



ORDER

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Challenging the order of eviction issued by the Tahsildar under Section 6 of the Tamil Nadu Land Encroachment Act, the present writ petition is filed.

2.Mr.S.Venkatesh, learned Counsel for the State, accepts notice for the first and second respondents. Considering the nature of the order proposed to be passed in this writ petition, notice to the third respondent is dispensed with.

3.The challenge has been made to the eviction notice mainly on the ground that survey number has been wrongly mentioned in the notice issued under Section 7 of the Land Encroachment Act followed by eviction notice under Section 6 of the Act. According to the petitioner the property in Survey No.627/14, in respect of which the eviction notice has been issued, is a private property and it is not a Government land.

4.It is to be noted that an effective alternative remedy is available to the petitioner under Section 10 of the Land Encroachment



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Act against the order of eviction. Therefore, the petitioner is directed to file an appeal before the competent authority within a period of two weeks from the date of receipt of a copy of this order.

5. On such appeal being filed, the first respondent shall consider and dispose of the same on its own merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as all other interested parties. The first respondent shall also consider the petitioner's contention regarding the discrepancy in the survey number. The appeal shall be disposed of within a period of two weeks thereafter. Until the expiry of the aforesaid period for filing the appeal, no coercive steps shall be taken by the respondents against the petitioner.

6. With the above directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
09.06.2026

Index : Yes/No
Internet : Yes
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To

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O/o.District Collector Office,
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- 2.The Tahsildar,
O/o.Tahsildar Office,
Palani Taluk
Dindigul District.



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

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