



W.P(MD)No.16626 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE P.B. BALAJI**

**W.P(MD)No.16626 of 2026
and W.M.P(MD)No.12369 of 2026**

B.Jothi

... Petitioner

vs.

The Tahsildhar,
Madurai West Taluk, Virattipathu,
Madurai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records pertaining to the notice impugned dated 12.06.2026 issued under Section 6 of 1905 Madras III Act by the respondent herein and quash the same as illegal, against the documentary evidences.

For Petitioner : Mr.M.Kannan

For Respondent : Mr.C.Jeganathan
Counsel for State



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ORDER

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

The present Writ Petition has been filed challenging the order passed by the respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as “the Act, 1905”).

2.The learned counsel appearing for the petitioner submitted that a patta had been issued in favour of the petitioner in the year 2008. However, without taking the said patta into consideration, the impugned order came to be passed by the respondent.

3.Per contra, the learned counsel appearing for the respondent-State, on instructions, submitted that, while submitting a reply to the notice issued under Section 7 of the Act, 1905, the petitioner had clearly admitted the encroachment. It is further contended that the alleged assignment document now relied upon by the petitioner appears to be a fabricated document and that its genuineness is itself doubtful.



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4.Be that as it may, since the impugned order has been passed under Section 6 of the Act, 1905, it is open to the petitioner to avail the statutory remedy of appeal before the District Collector under Section 10 of the Act, 1905 and canvass all her contentions before the appellate authority. The petitioner is also at liberty to produce the patta said to have been issued in her favour in the year 2008. Upon such production, the District Collector shall verify the genuineness of the said patta and pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

5.With the above observations and directions, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [P.B.B.,J.]
18.06.2026

NCC : Yes / No
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and
P.B. BALAJI, J.

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