



W.P.(MD)No.18230 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.06.2026**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.(MD)No.18230 of 2026
and W.M.P.(MD)Nos.13490 & 13491 of 2026

Karuppusamy

...Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The District Revenue Officer,
District Collectorate Office,
Dindigul District.
3. The Revenue Divisional Officer,
Palani, Dindigul District.
4. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
5. Sakthivel

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the 4th th respondent made in proceedings in Na.Ka.No.5374/2024/A3 dated 20.06.2026 but served on 23.06.2026 and



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to quash the same and to direct the respondents to refrain from evicting the petitioner without following the legal requirements of Law.

For Petitioner : Mr.G.Prabju Rajadurai
for Mr.S.Bala Karthick

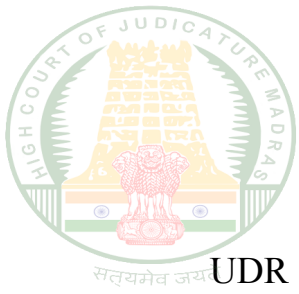
For Respondents : Mr.M.S.Parthiban,
Counsel for State for R1 to R4

ORDER

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

This Writ Petition is filed challenging the order passed by the 4th respondent made in Na.Ka.No.5374/2024/A3 dated 20.06.2026, served on 23.06.2026 and to quash the same and to direct the respondents to refrain from evicting the petitioner without following the legal requirements of Law.

2. According to the petitioner, the subject property originally belonged to his father. However, without issuing any notice, the classification of the land was altered from 'Ryotwari' to 'Sarkar' (Government land) and recorded as a 'Cart Track'. According to the petitioner, this error had crept into the revenue records during the



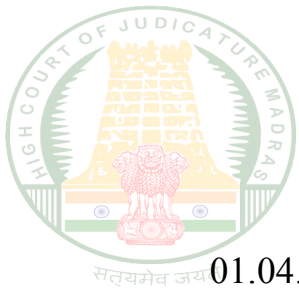
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UDR proceedings without affording him an opportunity of notice or hearing, which is impermissible in law. Without taking the said fact into consideration, the respondent passed the impugned order. Aggrieved by the same, the petitioner has filed the present Writ Petition.

3. The learned counsel appearing for the petitioner would submit that an easementary right cannot be converted into a proprietary right. He would further submit that the impugned order, though passed on 20.06.2026, was served on the petitioner only on 23.06.2026, stating that the alleged encroachment would be removed on 25.06.2026. Aggrieved by the said order, the petitioner has filed the present Writ Petition.

4. The learned counsel appearing for respondents 1 to 4 would submit that an order under Section 6 of the Tamil Nadu Land Encroachment Act, 1908 was passed on 06.03.2025. He would further submit that the petitioner has already instituted a suit in O.S. No.1262 of 2022 on the file of the Sub-Court, Oddanchatram, seeking rectification of the error alleged to have crept into the revenue records during the UDR proceedings. Challenging the order dated 06.03.2025, the petitioner has also filed W.P.(MD) No.7446 of 2025 before this Court. By order dated



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01.04.2025, this Court directed the Sub-Court, Oddanchatram, to dispose of the suit within a period of one year. Therefore, according to the learned State Counsel, the present Writ Petition is not maintainable.

5. We have heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

6. On a perusal of the records, it is seen that though the learned counsel for the petitioner would contend that the order under Section 6 of the Tamil Nadu Land Encroachment Act, 1908 was passed only on 23.06.2026, a reading of the impugned proceedings reveals that it is merely a consequential order. The original order had already been passed on 06.03.2025 and the same was challenged before this Court in W.P. (MD) No.7446 of 2025. While disposing of the said Writ Petition, this Court took note of the fact that O.S. No.1262 of 2022 was already pending on the file of the Sub-Court, Oddanchatram, and directed the said Court to dispose of the suit within a period of one year. This Court had further observed that, until the disposal of the suit, the revenue authorities shall not take any coercive action against the petitioner.



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7. It now appears that the suit came to be dismissed for default.

Be that as it may, since the original order had already been passed and the consequential action has been taken pursuant thereto, the present Writ Petition is not maintainable.

8. However, it is open to the petitioner to prefer an appropriate appeal before the District Collector under Section 10 of the Tamil Nadu Land Encroachment Act, 1908 within the prescribed period. Upon filing of such appeal, the petitioner is at liberty to canvass his contentions regarding the classification of the land, whether it is a pathway or cart track, before the appellate authority. The petitioner is permitted to prefer the appeal within a period of two weeks from today. Till such time, the respondents shall not initiate any coercive action against the petitioner.

9. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
25.06.2026

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Index : Yes/No
Internet : Yes



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

vsm

To

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Dindigul District,
Dindigul.
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District Collectorate Office,
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Palani,
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