



W.P.(MD)No.22 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.01.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22 of 2026
&
W.M.P.(MD)No.6 of 2026

R.Rammaheswari

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

3.The Executive Officer,
Chettiyarpatti Town Panchayath,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the pertaining to the 2nd Respondent impugned notice in Na.Ka.A6/1584/2025 dated 13.06.2025 passed under section 7 of the Tamil Nadu Land Encroachment Act, 1905 and impugned Notice in Na.Ka.A6/1584/2025 dated 06.12.2025 under section 6 of



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the Tamil Nadu Land Encroachment Act, and quash the same as illegal and consequently seeking a direction for issuance of Patta based on subdivision in S.No.438/23, 24 and 25, situated at Chettiyarpatti Village, Rajapalayam Taluk, Virudhunagar District.

For Petitioner :Mr.Chamundi Bose

For Respondents :Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R1 & R2

: Mr.C.Venkatesh Kumar
Special Government Pleader
for R3

ORDER

Heard both sides.

2. The petitioner challenges the order dated 06.12.2025 passed by the Tahsildar, Rajapalayam under Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

3. The learned counsel for the petitioner states that the subject matter pertains to Survey No.438/24 which is said to correspond to old S.No.231/1 and that it was originally classified as “Natham”. According to the petitioner's counsel, the present classification as “Odai” is incorrect.



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4. These are factual aspects. They can very well be canvassed before the appellate authority. The petitioner is permitted to file an appeal before the District Collector under Section 10 of the Land Encroachment Act. Such an appeal will be filed within a period of four weeks from the date of receipt of a copy of this order. Till the disposal of the appeal by the appellate authority, the impugned order will not be enforced. We have not gone into the merits of the matter. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
08.01.2026

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
rmi

To

1.The District Collector,
Virudhunagar District,
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