

W.P.(MD) No.2897 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

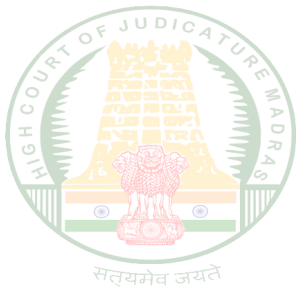
**W.P.(MD) No.2897 of 2026
and
W.M.P.(MD) Nos.2387 & 2388 of 2026**

Tamil Selvi

... Petitioner

-VS-

- 1.The Government of Tamil Nadu
rep.by its Principal Secretary
to the Government
Revenue Department
Secretariat, Fort St.George
Chennai
- 2.The Principal Secretary /
The Commissioner of
Land Administration
Ezhilagam, Chepauk, Chennai
- 3.The District Collector
Virudhunagar District
Virudhunagar
- 4.The District Revenue Officer
Virudhunagar District
Virudhunagar



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5.The Revenue Divisional Officer
Aruppukottai
Virudhunagar District

6.The Tahsildar
Office of the Tahsildar
Aruppukottai Taluk
Virudhunagar District

7.T.R.Rajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records of the impugned order in Na.Ka.No.T3/12229785/2025 dated 14.01.2026 issued by the 2nd respondent and quash the same as illegal.

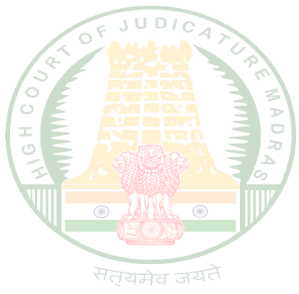
For Petitioner : Mr.T.Lajapathi Roy, Senior Counsel
for Mr.B.Arun

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R6

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents 1 to 6.



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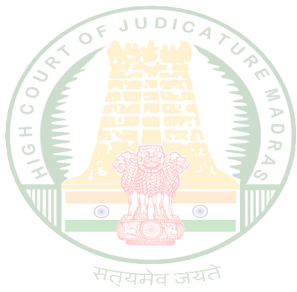
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2. The petitioner herein, who is found to have encroached upon a public land classified as “Cart Track”, was issued with a notice of eviction of encroachment under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. Challenging the same, earlier, the petitioner herein approached this Court by filing a writ petition in W.P.(MD) No.6263 of 2025, wherein this Court, by an order dated 13.06.2025, dismissed the said writ petition. The relevant portion of the said order is extracted hereunder:

“6.Since the statutory appeal is permitted, there is no impediment for the petitioner to prefer an appeal before the Commissioner of Land Administration to test the correctness of the order passed by the District Revenue Officer, Virudhanagar. However, the High Court in exercise of the powers of judicial review cannot adjudicate the disputed facts when the efficacious statutory remedy is contemplated.

7. Adjudication of the facts by the Appellate Authorities are of paramount important, which would be a greater assistance to the High Court for the purpose of exercise the powers of judicial review in an effective manner.

8.Granted liberty to the petitioner to approach the appellate authority, the present writ petition



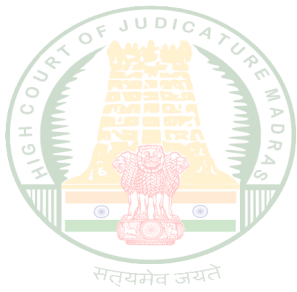
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stands dismissed. In the event of preferring an appeal, the period during which the writ petition was pending before the High Court, is to be taken into consideration for the purpose of condoning the delay if any. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.”

3. Pursuant to the above said liberty granted to the petitioner, she filed an appeal before the Commissioner of Land Administration. Even though there was a delay on the part of the petitioner in filing the appeal before the authority concerned, she had not filed any application seeking condonation of delay. In the said circumstances, the Commissioner of Land Administration, by the impugned order dated 14.01.2026, dismissed the appeal preferred by the petitioner herein on the ground of delay as the appeal was filed beyond the period of one month. Aggrieved by the dismissal of her appeal, the petitioner has filed the present writ petition.

4. A perusal of the records shows that the direction to the petitioner to approach the Commissioner of Land Administration was issued by this Court on 13.06.2025. The acknowledgement issued by the office of



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the Commissioner of Land Administration shows that the appeal filed by the petitioner was received on 22.09.2025. It is true that along with the appeal, the petitioner had not filed any application seeking condonation of delay. However, taking into consideration that the issue involved in this matter needs to be decided on merits, we hereby issue a direction to the Commissioner of Land Administration / second respondent to restore the appeal filed by the petitioner herein on file and pass orders on the appeal on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.]

[K.K.R.K., J.]

03.02.2026

NCC : Yes / No

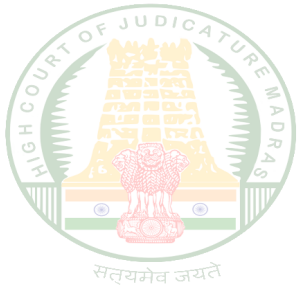
Index : Yes / No

Internet : Yes / No

Note to Office:

Issue order copy today.

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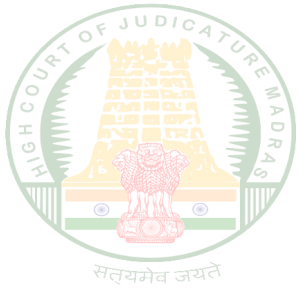


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- 2.The Principal Secretary /
The Commissioner of
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- 3.The District Collector,
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AND
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