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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.04.2026**

CORAM:

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

W.P.(MD)No.10663 of 2026
and
W.M.P.(MD)No.8356 of 2026

M.Saivarajan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Thiruvaiyaru Taluk,
Thanjavur District.

3.The Revenue Inspector,
Thiruvaiyaru Range,
Thiruvaiyaru District.

4.K.Ramu

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 dated 27.12.2025 issued by the second



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respondent, quash the same and consequently direct the respondents to grant patta of possession in respect of the property in Survey No.249/32, to an extent of 0.01.15 ares (2.84 cents) Maharajapuram Village, Thiruvaiyaru Taluk, Thanjavur District.

For Petitioner : Mr.Raja.Karthikeyan
For Respondents : Mr.J.Ashok (R1 to R3)
Additional Government Pleader

ORDER

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

This writ petition is filed challenging the notice notice issued under Section 7 of the Land Encroachment Act, dated 27.12.2025.

2.Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with.

3.By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

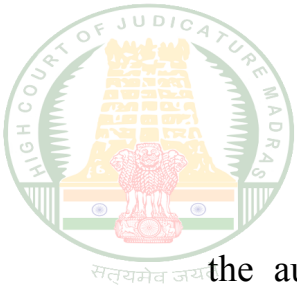


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4.The show cause notice dated 27.12.2025 issued by the respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') is under challenge in this Writ Petition. Since it is only a show cause notice, seeking explanation from the petitioner, the petitioner has to give his reply for the same. The petitioner without submitting his explanation has prematurely filed this writ petition.

5.In view of the above, the petitioner is directed to submit his explanation along with all necessary documents within a period of two weeks from the date of receipt of a copy of this order. On receiving such explanation, the authorities shall consider the same and pass appropriate orders after affording an opportunity to the petitioner as well as the private respondent herein within a period of four weeks therefrom.

6.Further, the learned counsel for the petitioner submits that the subject land is classified as Grama natham. If the land is classified as Grama Natham in the revenue records, the question of applying the provisions of the Land Encroachment Act does not arise at all. Hence,



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the authorities, before proceeding further, are directed to ensure the nature of the land and pass appropriate orders.

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

[N.S.K., J.] & [M.J.R., J.]
16.04.2026

Index : Yes/No
Internet : Yes
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To

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

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