

W.P(MD)No.14188 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.05.2026

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THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.14188 of 2026

and

WMP(MD)No.10611 of 2026

P.Suresh

... Petitioner

Vs.

1. The District Collector,
Office of Collectorate,
Madurai District.

2. The Tahsildar,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

3. Ms.Tamilarasi,
Matharai, Nakkalapatti (Post),
Usilampatti, Madurai.

...Respondents

(R3 is *suo motu* impleaded by the order of this Court dated 20.05.2026)

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records relating to the impugned eviction order dated 20.01.2026 (received only on 12.05.2026) passed by the 2nd respondent and quash the same as illegal without jurisdiction and consequently direct the respondents not to disturb the petitioner's peaceful possession and enjoyment over subject property.



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For Petitioner
For R1 & R2

: Mr.J.Senthil Kumaraiah
: Mr.R.Gandhiraj
Special Government Pleader
: Mr.K.Dinesh

For R3

ORDER

(Order of the Court was made by D.BHARATHA CHAKRAVARTHY, J.)

The writ petition is filed challenging the impugned order dated 20.01.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it can be seen that the impugned order is passed under Section 6 of the Tamil Nadu Land Encroachment Act, 1905. As against the said order, the petitioner has an effective alternative remedy of filing an appeal before the District Collector. The contention of the petitioner is that the land in question is natham. Even in the impugned order, it is described as Natham Poramboke. As a matter of fact, the petitioner is also producing a registered sale deed by which, he claims to have purchased the property in question. In view thereof, since the *prima facie* case is made out and considering the apprehension that is made that the respondents may at any time evict the petitioner without giving him opportunity to exhaust the appeal remedy, we are of the view that limited relief can be granted to the petitioner.



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3. When the matter came up for arguments, Mr.K.Dinesh, learned counsel wanted to intervene on behalf of Ms.Tamilarasi, Matharai, Nakkalapatti (Post) , Usilampatti, Madurai. In view thereof, Ms.Tamilarasi is also *suo motu* impleaded as 3rd respondent in the writ petition.

4. Considering the overall facts and circumstances of the case and considering the arguments on both sides, this writ petition is disposed of on the following terms.

(i) The petitioner shall file an appeal as against the impugned order before the District collector within two weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order.

(ii) Upon filing of such appeal, the District Collector shall dispose of the same within a period of three months therefrom.

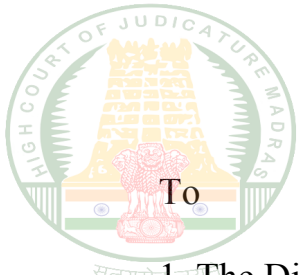
(iii) Until the disposal of the appeal, the petitioner shall not be dispossessed of the place in question.

(iv) The newly impleaded 3rd respondent can also oppose the petitioner's appeal before the Collector.

No costs. Consequently, connected miscellaneous petition is closed.

[D.B.C., J.] & [R.P., J.]
20.05.2026

Neutral Citation : No
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To

1. The District Collector,
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Madurai District.

2. The Tahsildar,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.



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W.P(MD)No.14188 of:

D.BHARATHA CHAKRAVARTHY, J.
and
R.POORNIMA, J.

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ORDER MADE IN
W.P(MD)No.14188 of 2026
DATED : 20.05.2026