



WEB COPY



W.P.Nos.30594, 30630 & 30652 of 2019 (3 cases)

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P.Nos.30594, 30630 & 30652 of 2019
and
W.M.P.Nos.30656, 30703 & 30734 of 2019 (3 cases)

N.Velavan	... Petitioner in W.P.No.30594 of 2019
Uma Maheswari	... Petitioner in W.P.No.30630 of 2019
A.Chinna Durai	... Petitioner in W.P.No.30652 of 2019

Vs.

Block Development Officer, Iyyappanthangal Village Panchayat, Kundrathur Panchayat Union, Chennai – 600 056.	... Respondent in W.P.Nos.30594 & 30630 of 2019
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Block Development Officer/Special Officer, Iyyappanthangal Village Panchayat, Kundrathur Panchayat Union, Chennai – 600 056.	... Respondent in W.P.No.30652 of 2019
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Common Prayer: Writ Petitions are filed under Article 226 of Constitution of India, for issuance of Writ of Certiorari, to quash the notice dated 11.10.2019 *vide* Na.Ka.No.951/2019/B1 issued by the respondent as illegal.

For Petitioners : Mr.K.Kulandaivelu (in all W.P's)



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For Respondent

: Mr.A.Selvendran

Special Government Pleader (in all
W.P's)

COMMON ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The notice dated 11.10.2019 issued by the Block Development Officer is sought to be quashed in the present writ proceedings.

2. The Block Development Officer, Kundrathur Panchayat Union on identification of encroachments, instituted actions to remove the same and the petitioner has challenged the said notice. However, the Block Development Officer is not a competent Authority to remove the encroachments.

3. Thus, along with the notice, the Block Development Officer is directed to submit a Report to the jurisdictional Tahsildar within a period of twelve weeks from the date of receipt of a copy of this order. On receipt of the Report from the Block Development Officer, the jurisdictional Tahsildar shall issue a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') by affording opportunity to the



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encroachers and pass an order under Section 6 of the Act, on identification of encroachments, if any. Thereafter, the identified encroachments are directed to be removed. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, all the three writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S,J.] [K.R.S,J.]
27.02.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

Block Development Officer,
Iyyappanthangal Village Panchayat,
Kundrathur Panchayat Union,
Chennai – 600 056.

S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.



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Order in
W.P.Nos.30594, 30630 & 30652 of 2019

27.02.2024
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