



WEB COPY



W.P.No.18211 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.18211 of 2021 and
W.M.P.Nos.19440 and 19441 of 2021

Rajmohan

... Petitioner

-VS-

1. The President,
Pachanampatti Village Panchayat,
Omalur Taluk, Salem District.

2. Mrs.Rani

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus to call for the records in Proc.No.NIL dated 06.08.2021 of the 1st respondent, quash the same and direct the 1st respondent Authority not to evict the petitioner from the Gramanatham Land in S.No.228/11 of Pachanampatti Village, Omalur, Salem District.

For Petitioner : Mr.Arshadullah Sheriff
For Mr.Kamalesh Kannan

For R1 : Mr.T.Arun Kumar
Addl. Govt. Pleader

For R2 : No Appearance



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ORDER

(By.S.M.SUBRAMANIAM,J.,)

The Writ on hand has been instituted to assail the notice issued by the President, Pachanampatti Village Panchayat, Omalur Taluk, Salem District dated 06.08.2021.

2. The claim of the Writ Petitioner seeking patta came to be rejected. The petitioner has thus been treated as an encroacher. The President, Pachanampatti Village Panchayat, Omalur Taluk, Salem District has issued notice and he has no power under the Act to initiate eviction proceedings. In the event of not responding to the notice issued by the President, he has to submit a report to the jurisdictional Tahsildar for initiation of eviction proceedings under the Tamil Nadu Land Encroachment Act, 1905.

3. In the present case, the impugned notice has been communicated to the Block Development Officer as well as the Tahsildar, Omalur. Thus, the jurisdictional Tahsildar is to treat the information as a report and initiate appropriate eviction proceedings under the Tamil Nadu Land Encroachment Act, 1905 by following procedures as contemplated.



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The alleged encroacher must be afforded with an opportunity to submit their explanation along with documents, if any. The enforcement action initiated shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S,J.) (C.K,J.)
02.12.2025

Index: Yes / No
Internet: Yes / No
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To:

The President,
Pachanampatti Village Panchayat,
Omalur Taluk,
Salem District.

S.M.SUBRAMANIAM, J.



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