



W.P.No.47612 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.47612 of 2025

and

W.M.P.Nos.53135, 53136 & 53137 of 2025

Pangajam

... Petitioner

-VS-

1.The President,
Sethupattu Panchayat,
Padapai, Kancheepuram District.

2.The Block Development Officer (BDO),
Block Development Office, Kancheepuram,
Kancheepuram District.

3.The District Collector,
First Floor,
Collectorate,
Kancheepuram District.
Tamil Nadu – 631 501.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, directing the respondents to call for the records relating to the impugned notice dated 24.10.2025 pasted on the petitioner's property at Sethupattu Panchayat, Kancheepuram District, Tamil Nadu –



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601 301 and quash the same and direct the respondents not to interfere with the petitioner's possession and enjoyment of the said property.

For Petitioner : Mr.B.Jaihari

For Respondents : Mr.T.Arunkumar,
Addl. Govt. Pleader.

ORDER

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

Notice issued by the President/ Executive Authority, Sethupattu Panchayat for removal of encroachments and unauthorized constructions is under challenge in the present Writ proceedings.

2. The President is not empowered to invoke the provisions of land encroachment Act. Either the President or the Executive Authority of the Panchayat has to issue notice at the first instance and in the event of failure on the part of the encroachers to vacate the premises, submit a detailed report regarding the encroachment to the jurisdictional Revenue Tahsildar, who in turn is empowered to initiate eviction proceedings by invoking the provisions of the Tamil Nadu Land Encroachment Act, 1905.



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3. In the present case, the President has issued notice. In the event of failure on the part of the encroachers to vacate the Government property within the time stipulated, the President or Executive Authority of the Panchayat shall submit a detailed report and the Tahsildar is bound to initiate appropriate eviction proceedings under the Tamil Nadu Land Encroachment Act, 1905. However, the present Writ Petition seeking quashment of notice is unnecessary. Encroacher, if aggrieved, may submit explanation to the Authorities on initiation of eviction proceedings.

4. With these observations, the Writ Petition stand **dismissed**. No costs. Consequently, the connected miscellaneous petitions are closed.

(S.M.S,J.) (C.K,J.)
12.12.2025

Index: Yes / No
Internet: Yes / No
dsa



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To:

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AND
C.KUMARAPPAN, J.

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