



W.P(MD)No.2935 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.2935 of 2025

A.Shanmugavel

... Petitioner

Vs.

- 1.The District Collector/Monitoring Committee,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Dindigul District, Dindigul.
- 3.The Revenue Divisional Officer,
Palani, Dindigul.
- 4.The Tahsildar,
Vedasandhur,
Dindigul District.
- 5.The Block Development Officer,
Vadamadurai, Dindigul.
- 6.The President,
Padiyur Panchayat,
Dindigul.



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7.Murugesan

8.A.Lakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to remove the encroachment made in Survey Nos.1903/39 and 1903/40 in Padiyur Village, Vedasandhur Taluk, Dindigul District based on the communication of the 1st respondent in O.MU.No. 2057432/2024/D2 dated 24.05.2024 and recommendation of the 7th respondent dated 24.05.2024 within the period that may be stipulated by this Court.

For Petitioner	:	Mr.P.Manikandan
For RR1 to 6	:	Mr.S.P.Maharajan Special Government Pleader
For RR7 & 8	:	No appearance

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The grievance of the writ petitioner is that the authorities remained mute spectators in spite of encroachment of public land in Survey Nos. 1903/39 and 1903/40 in Padiyur Village, Vedasandhur Taluk, Dindigul District.



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2. The learned Special Government Pleader appearing on behalf of the official respondents would submit that actions are initiated by the Block Development Officer, Vadamadurai, Dindigul.

3. Even under the Panchayats Act, either the President of the Panchayat or the Block Development Officer, as the case may be, has to submit a report to the jurisdictional Tahsildar for invoking the provisions of the Tamil Nadu Land Encroachment Act, 1905 for the purpose of eviction of encroachers. Thus, the Block Development Officer cannot issue notice under the said Act, as he has no jurisdiction. Thus, the fifth respondent/Block Development Officer is directed to submit a report regarding encroachment, if any, to the Tahsildar, Veda sandhur. Based on the report of the Block Development Officer, the fourth respondent-Tahsildar shall issue notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and after receiving objections, if any, shall pass final orders and thereafter, remove encroachments and protect the public property for utilising the same for the benefit of the public at large. 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.



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4. With the above directions, this Writ Petition stands allowed.

There shall be no order as to costs.

[S.M.S., J.] [A.D.M.C., J.]
04.06.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

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