



W.P.(MD)No.16107 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16107 of 2020
&
W.M.P.(MD)No.13485 of 2020

A.Boominathan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Aruppukkottai Revenue Division,
Virudhunagar District.
- 3.The Tahsildar,
Office of the Taluk Office,
Kariyapatti Taluk,
Virudhunagar District.
- 4.The Block Development Officer (Village Panchayat),
Kariyapatti Panchayat Union,
Kariyapatti,
Virudhunagar District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 4th respondent herein proceedings in Na.Ka.B1/30/2020 dated 03.11.2020 which was served on petitioner on 05.11.2020 and quash the same as illegal and unconstitutional and consequently forbearing the respondents from in any manner evicting the petitioner from his patta lands comprised in S.No.31/3C situated at Keela Idayankulam Village, Kariyapatti Taluk, Virudhunagar District.

For Petitioner :Mr.G.Thalaimutharasu

For Respondent :Mr.M.Gangadharan
Government Advocate

ORDER

Heard both sides.

2. The petitioner challenges the impugned communication issued by the jurisdictional BDO. The BDO no doubt has called upon the petitioner to remove the petition mentioned encroachment. Default clause has been incorporated to the effect that if the demand set out in the impugned communication is not complied with, coercive action will be taken by taking police aid. It is well settled that the BDO cannot coercively enforce such an



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order in the event of the noticee not complying with the demand. The only course of action is to move the jurisdictional Thasildar for taking action under the Land Encroachment Act.

3. With the aforesaid clarification of the impugned communication, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
23.10.2025

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

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4.The Block Development Officer (Village Panchayat),
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