



W.P.(MD)No.32532 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.32532 of 2025
& WMP(MD)No.25659 of 2025

R.Marimuthu

... Petitioner

/Vs./

1. The District Collector,
Collectorate,
Pudukkottai District.
2. The Revenue Divisional Officer,
Aranthangi Division,
Pudukkottai District.
3. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.
4. The Block Development Officer,
Avudaiyarkovil Union,
Pudukkottai District.

... Respondents



W.P.(MD)No.32532 of 2025

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned notice dated 18.10.2025 issued by the 4th respondent and quash the same as illegal, arbitrary, and without jurisdiction.

For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.S.P.Maharajan (R1 to R3)

Special Government Pleader

Mr.M.Sarangan (R4)

Additional Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Mr.S.P.Maharajan, learned Special Government Pleader accepts notice for R1 to R3 and Mr.M.Sarangan, learned Additional Government Pleader for R4.

2. Mr.Maharajan, has written instructions of the Tahsildar, Avudaiyarkovil Taluk, Pudukkottai District / R3 in Na.Ka.187/2025/Aa2, dated 13.11.2025.

3. The prayer of the petitioner is for a certiorari, challenging notice dated 18.10.2025 issued by the Block Development Officer, Avudaiyarkovil Union, Pudukkottai District / R4.



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4. Respondents' counsel file a memo to the effect that proper course of action is for the Block Development Officer to make an enquiry under Section 131(2) of the Tamil Nadu Panchayat Act, 1994 and that the impugned notice hence does not appear to have been validly issued. The contents of the memo are extracted as follows:-

“It is humbly stated that in the above case the officials are stating that, They will proceed to remove the encroachment under Tamil Nadu Land encroachment Act 1908 through the Tahsildar concern in accordance with law. Originally, the authorities ought to have issued notice U/s. 131(2) of Tamil Nadu Panchayat Act 1994. But they have issued notice in Land encroachment Act 2007. Hence they will not proceed with the notice dated 18.10.2025.”

5. The respondents' counsel also draws attention to the fact that the encroachment has infact been detected at the instance of the petitioner in 80/1, Veliyathoor Village, Avudaiyarkovil Taluk, Pudukkottai District and that proceedings have been contemplated by R3, Thasildar, Avudaiyarkovil Taluk, Pudukkottai District in accordance with law.

6. We record the submissions as above, including the contents of the memo. Insofar as the respondents clarify that the impugned order of Block Development Officer does not have any force, the petitioner



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cannot continue to be aggrieved by the same. Needless to say, Thasildar, Avudaiyarkovil Taluk, Pudukkottai District / R3 will continue with action as proposed, albeit scrupulously in accordance with law.

7. This writ petition is disposed in terms of this order. No costs. Consequently, connected miscellaneous petition is closed.

[A.S.M.J.] & [C.K.J.]
14.11.2025

NCC :Yes/No
Index :Yes/No
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DR.ANITA SUMANTH, J.
AND
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