



W.P.(MD).No.31477 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.01.2025

CORAM

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

W.P.(MD).No.31477 of 2024
and
W.M.P.(MD).No.26352 of 2024

G.Parthiban

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The District Revenue Officer,
Pudukkottai District,
Pudukkottai.
- 3.The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.
- 4.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 5.The Assistant Director of Panchayats,
Pudukkottai,
Pudukkottai District.



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6. The Block Development Officer (Village Panchayats),
Panchayat Union,
Thiruvankulam,
Pudukkottai District.

7. Patchikkottai Village Panchayat,
Rep. by its President,
Patchikkottai,
Alangudi Taluk,
Pudukkottai District.

... Respondents

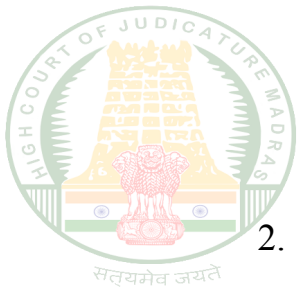
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari, calling for the records pertaining to the impugned order passed by the 6th respondent in Na.Ka.Thi3/ 2451/2024, dated 28.11.2024, and quash the same.

For Petitioner : Mr.P.Vinoth
For R-1 to R-5 : Mr.J.Ashok
Additional Government Pleader
For R-6 & R-7 : Mr.S.Shaji Bino
Special Government Pleader

ORDER

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

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

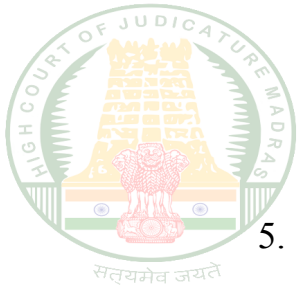


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2. This Writ Petition has been filed challenging the impugned order passed by the 6th respondent in Na.Ka.Thi3/ 2451/2024, dated 28.11.2024.

3. The impugned notice is only a preliminary step of the procedure contemplated under Section 131(2) of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as “Act”), for removal of encroachments. As per the said provision, if the concerned Block Development Officer is unable to secure the removal of encroachments as pointed out in the impugned notice, the consequential procedure for the officers of the Revenue Department for removal of encroachments is to institute proceedings under the Tamil Nadu Land Encroachment Act, 1905 and secure such removal.

4. A perusal of the impugned notice also reveals that the respondents intend to follow the procedure as contemplated under Section 131(2) of the Act when they are unable to secure the removal of encroachments. While that being so, we are unable to appreciate as to how the petitioner can have any grievance when the proceedings have been initiated strictly in accordance with the procedure under Section 131(2) of the Act. As such, no interference is required to the impugned notice.



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5. Accordingly, the Writ Petition stands dismissed. There shall be no

order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
06.01.2025

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

To

- 1.The District Collector,
Pudukkottai District, Pudukkottai.
- 2.The District Revenue Officer,
Pudukkottai District, Pudukkottai.
- 3.The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.
- 4.The Tahsildar,
Alangudi Taluk, Pudukkottai District.
- 5.The Assistant Director of Panchayats,
Pudukkottai, Pudukkottai District.
- 6.The Block Development Officer (Village Panchayats),
Panchayat Union, Thiruvarankulam,
Pudukkottai District.
- 7.The President,
Patchikkottai Village Panchayat,
Patchikkottai, Alangudi Taluk,
Pudukkottai District.



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M.S.RAMESH,J.
and
A.D.MARIA CLETE,J.

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