



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 5314 of 2026

P.X.Dayana

..Petitioner(s)

Vs

1. The District Collector
Thiruvallur, 602 001.
2. The Planning Director / Joint Director
District Urban Development,
Thiruvallur-602 001.
3. The Asst. Director, (Panchayats)
Thiruvallur District, Thiruvallur- 602 001.
4. The Tashildar, Poonamallee Taluk
Chennai-600 053.
5. The Block Development Officer (Panchayat
Union)
Poonamallee, Chennai-600 053.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India
issuing writ of Certiorari to call for the records pertaining to the Proceedings
in Na.Ka.No. 2710/ 2025/A6, dated /08/ 2025 (Signed on 05.08.2025,
found affixed on 01.09.2025) on the file of the 5th respondent, quash the same.

For Petitioner(s): Mr.R.Selvakumar

For Respondent(s): Mr.D.Ravichander,



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Special Government Pleader for Rr 1 To 4.
Mr.Keerthivasan For Mr.P.Harish,
Government Advocate For R5.

ORDER

(Order of the Court was made by C.Kumarappan J.)

The present writ petition has been filed assailing the notice issued by the Block Development Officer under Section 131 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the 'Act').

2. The main contention put forth by the learned counsel for the petitioner is that subject property referred in the impugned notice qua S.No.106/4 does not belong to him. But the property situate in S.No.106/1 alone is his property. However, the respondent has issued notice to the petitioner without going through the records. Therefore, said notice is to be quashed.

3. However, the said contention is totally objected by the learned Special Government Pleader. While looking at the provisions of the Section 131(2) of the Act , it stipulated that "*Executive Authority or the Commissioner concerned either suo motu or on obtaining a report from the Village Administrative Officer in this regard to institute proceedings under this Act and and secure the removal of the encroachments within such time as may be specified by the Government by general or special order. If the removal of the encroachments has not been secured within the period specified in such order, the officers of the Revenue Department shall institute proceedings*



under the Tamil Nadu Land Encroachment Act, 1905.”

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4. In the case in hand, learned counsel for the petitioner would submit that he has already given reply to the impugned notice. Therefore, if such reply is received by the authority concerned, they are bound to look into the same, and after considering such reply, if they found that petitioner has encroached upon the subject land, it is for the authority to send a report to the revenue department, so as to institute proceeding under the Tamil Nadu Land Encroachment Act, 1905 for eviction.

5. Therefore, we absolutely does not find any ground to interfere with the impugned notice in Na.Ka.No. 2710/ 2025/A6, dated Nil.08. 2025. In the result, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (C.K.,J.)
18-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD

To

1. The District Collector
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District Urban Development, Thiruvallur-602
001.
3. The Asst. Director, (Panchayats)
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4. The Tashildar, Poonamallee Taluk
Chennai-600 053.

5. The Block Development Officer (Panchayat
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**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

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