



W.P.No.13104 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.13104 of 2026

and

W.M.P.Nos.14348 and 14354 of 2026

Sundar Singh
S/o.Late Kirpal Singh

... Petitioner

VS.

1. The District Collector
Collector Office,
Cuddalore District
Cuddalore 607 001.
2. The District Revenue Officer
Collector Office, Cuddalore District
Cuddalore – 607 001.
3. The Revenue Divisional Officer
Revenue Divisional Office
Vridhachalam
Cuddalore District – 606 001.
4. The Tahsildar
Taluk Office, Vriddhachalam
Cuddalore District – 606 001.

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5. The Block Development Officer
Panchayat Union Office
Vriddhachalam, Cuddalore District – 606 001.

6. The Village Administrative Officer
Pallipattu Village
Rupanarayanallur Panchayat
Vriddhachalam Taluk
Cuddalore District – 606 104.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice issued by the 5th respondent in Na.Ka.No.A1/686/2025 dated 02.02.2026, quash the same as illegal, arbitrary, without jurisdiction and violative of principles of natural justice and consequently, direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner's property comprised in Survey Nos.39/1A, 39/1C1A and 39/1C4, situated at Pallipattu Village, Vridhachalam Taluk, Cuddalore District.

For Petitioner : Mr.M.Elumalai

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 to R4 and R6
Mrs.S.Indhu Bala,
Additional Government Pleader,
for R5



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ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

A notice dated 02.02.2026 issued by the Block Development Order under the Tamil Nadu Panchayats Act, 1994 (“the Panchayat Act”) is under challenge in the present writ petition.

2. No writ petition against a show cause notice is maintainable unless it is issued by an incompetent authority. In the present case, the notice has been issued under Section 131(1) of the Panchayats Act, pursuant to the directions issued by this Court in W.P.No.9451 of 2025, seeking for removal of encroachment.

3. The Block Development Officer has provided an opportunity to the petitioner to vacate the encroached portion of the Panchayat property and hand over possession within a period of 15 days. If at all the petitioner claims any rights over the property, he is at liberty to submit his explanation along with supporting documents to the Block Development Officer, who in turn shall consider the same and thereafter form a final opinion.

4. If any encroachments are identified, a report shall be submitted to the jurisdictional Tahsildar for initiation of enforcement action under the



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provisions of “the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)” {hereinafter “1905 Act” for the sake of brevity}. On receipt of such report, the Tahsildar being the Executive Authority of the Panchayat, shall proceed with the enforcement action by following the procedure contemplated under the 1905 Act, after affording an opportunity to the encroachers.

5. In view of the above statutory scheme contemplated under the 1905 Act, the present writ petition is not maintainable. Granting liberty to the petitioner to submit his explanation, the present Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
08.04.2026

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

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**S. M. SUBRAMANIAM, J.,
and
K. SURENDER, J.,**

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