



WEB COPY

W.P.No.7322 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.7322 of 2026

and

W.M.P.No.7875 of 2026

Dhandapani

... Petitioner

-vs-

1.The Block Development Officer,
Village Panchayats,
Dharapuram Taluk,
Tiruppur District.

2.Radhakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorari, calling for the records relating to the order dated 13.02.2026 in Na.Ka.No.203/2023/Aa1 passed by the 1st respondent and quash the same.

For Petitioner : Mr.M.Akash

For Respondents : Mr.D.Ravichander,
Spl. Govt. Pleader for
Mr.V.Ramesh,
Govt. Advocate for R1



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ORDER

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

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The present Writ Petition has been filed assailing the impugned notice dated 13.02.2026 issued by the Block Development Officer, Dharapuram Taluk under Section 131(2) of the Tamil Nadu Panchayats Act, 1994 [hereinafter referred to as “the Act”].

2. The learned counsel for the petitioner would submit that under the Tamil Nadu Land Encroachment Act the Block Development Officer is not a competent person. Therefore, the very issuance of notice is against law. Hence, he prayed to interfere with the same.

3. This contention was totally objected by the learned Special Government Pleader. He would rely upon Section 131(2) of the Act and contend that the Block Development Officer being the Executive Officer, he is bound to secure removal of the encroachment and whenever he is not in a position to secure such removal, it is duty on the part of the Executive Officer to send a report to the concerned Revenue official and the Revenue official is bound to act in accordance with the Land Encroachment Act. Hence, he would submit that there is no infirmity in the impugned notice.



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4. We have given anxious consideration to the submissions of the learned counsel on either side.

5. While looking at Section 131(2) of the Act it is mandated on the Village Administrative Officer of every Revenue Village to report on encroachment of properties vested in Village Panchayats or Panchayat Union Councils to the Executive Officer. The Executive Officer in the Panchayat Council is the Block Development Officer. Section 131(2) further mandates that if the Executive Officer is not in a position to secure removal of encroachment within such time as may be specified by the Government by general or special order, then he must send report to the Revenue Department and the Revenue Department shall institute proceedings under the Tamil Nadu Land Encroachment Act, 1905.

6. Though the learned counsel referred to the Division Bench judgment, it also runs in tandem as propounded the position in this judgment. Therefore, the above Division Bench judgment will be of no use to the petitioner. Hence, we are of the firm view that there is no infirmity in the notice dated 13.02.2026. Therefore, the petitioner is given liberty to reply to the said notice and on receipt of reply, the Authorities are directed to act in accordance with law.



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7. With the above directions, the present Writ Petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S,J.) (C.K,J.)
23.02.2026

Index: Yes / No
Internet: Yes / No
dsa



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To:

The Block Development Officer,
Village Panchayats,
Dharapuram Taluk,
Tiruppur District.



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S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.

dsa

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