



W.P.No.14049 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.14049 of 2026

and

W.M.P.No.15300 of 2026

1. M.Senthil Kumar
S/o.Muthusamy

2. M.Subramani
S/o.Muthusamy

... Petitioners

vs.

1. The District Collector
Salem District.

2. The Revenue Divisional Officer
Mettur Dam, Salem District
Salem – 636 401.

3. The Tahsildar (Revenue)
Office of Tahsildar
Mettur Dam – 636 401.

4. The Assistant Executive Engineer PWD
Department Water Resources Department
Mettur Dam Division, Mettur Dam – 636 401.



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5. The Executive Officer
P.N.Patti Town Panchayat
Mettur Dam, Salem District – 636 402.
 6. R.Venugopal
S/o.Ranganathan
 7. P.Perumal
S/o.Ranganathan
 8. K.Ramanan
S/o.Krishnan
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, to call for the records on the file of the 5th respondent in impugned Na.Ka.No.298/2025 dated 09.03.2026 and quash the same.

For Petitioners : Mr.P.Sidharthan

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R5

ORDER

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

The notice issued by the Executive Officer, B.N.Patti Town Panchayat, Salem District, dated 09.03.2026 is under challenge in the present writ petition.



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2. The learned counsel for the petitioners would mainly contend that the petitioners protected the Panchayat property and planted coconut trees and now, they are giving yielding. That apart, the petitioners are paying tax to the Panchayat regularly and therefore, the notice is perverse.

3. The learned Special Government Pleader would oppose by stating that the subject property belongs to the Panchayat and the petitioners have not disputed the same. The petitioners have planted coconut trees nearby the Odai, which is a water body. Therefore, the petitioners cannot claim any right over the land or the trees planted nearby the Odai.

4. This Court is of the considered view that the trees planted in Government land cannot, under any circumstances, claim ownership or any right to enjoy the usufruct. Coconut trees planted in the Panchayat property belong to the Panchayat and the Panchayat authorities have to conduct auction or lease out the trees for the benefit of the people residing in that Panchayat. That apart, the Panchayat has to maintain the width of the water body and ensure free flow of water for agricultural and other purposes, preventing any obstruction. The Panchayat authorities are directed to remove the same by following the procedures.



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5. In the present case, the dispute is all about the planting of coconut trees. Instead of cutting down the trees, the Panchayat authorities may maintain them and if necessary, lease them out for the benefits of the Panchayat. However, no individual can claim any right over the land or coconut trees planted nearby the Odai (water body).

6. Thus, the petitioners have not established even a semblance of legal right regarding the maintenance of coconut trees or enjoy the usufruct.

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

(S.M.S.,J.) (K.S.,J.)
15.04.2026

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

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