



W.P.No.14019 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.14019 of 2026

and

W.M.P.Nos.15280 & 15281 of 2026

Vasanthakumari
W/o.Jalanthar

... Petitioner

vs.

1. The District Collector
Office of District Collector
Namakkal.
2. The Tahsildar
Raipuram
Namakkal District.
3. The Special Officer
Block Development Officer (Rural)
Thottiyavalasu Panchayat
Vannanthur Taluk, Namakkal District.
4. N.Kumar
S/o.Narayanan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records relating to notice of third

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respondent dated 07.03.2026 in Na.Ka.No.01/2026, quash the same and consequently, direct the 2nd respondent to initiate a proceeding under the provision of land encroachment 1905 in respect of land in Survey Nos.93/3 and 94/2 after fixing the boundary stone for patta land of petitioner in Survey Nos.93/3 an extent of 0.60.00 Hec and 94/2 an extent of 0.10/05 Hec. By the 2nd respondent in pursuant to the application dated 10.03.2026.

For Petitioner : Mr.M.Elango
For Respondent : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

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

The writ petition has been filed challenging the notice dated 07.03.2026 issued under Section 131 of the Tamil Nadu Panchayats Act, 1994 (“the Panchayat Act”).

2. The Block Development Officer / Special Officer, identified encroachments in Thottivalasu Panchayat and issued a notice calling upon the encroachers to vacate the encroachments and hand over vacant possession to the Panchayat, failing which further appropriate action will be initiated. The said show cause notice cannot provide any cause for instituting proceedings. That apart, the Block Development Officer, on receipt of the explanation from the encroachers has to consider the same and form a final opinion regarding the encroachments and file a report to the jurisdictional



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Tahsildar for initiation of enforcement action under the provisions of “the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)” {hereinafter “1905 Act” for the sake of brevity}, if the encroachers fail to vacate the encroachments from the Panchayat property. Therefore, the impugned notice would not provide any cause for the present writ petition.

3. The learned counsel for the petitioner would submit that explanations have already been submitted. If so, the Block Development Officer shall consider the same and submit a report to the Tahsildar, if any encroachment is identified and on receipt of the report, the Tahsildar shall initiate enforcement action by following the procedure as contemplated under 1905 Act for eviction of encroachments. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above observations, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

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

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

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

mk

To

1. The District Collector
Office of District Collector
Namakkal.
2. The Tahsildar
Raipuram
Namakkal District.
3. The Special Officer
Block Development Officer (Rural)
Thottiyavalasu Panchayat
Vannanthur Taluk, Namakkal District.

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