



WEB COPY

WP.No.20009 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR JUSTICE G. R. SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

WP.No.20009 of 2026

and

WMP.No.21393 of 2026

1. S.Suresh Kumar

2. S.Saroja

3. R.Suganthi

..Petitioners

Vs

1.The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Tamil Nadu Government,
Secretariate,
Chennai 600 009

2. The Additional Chief Secretary cum
Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai 600 005

3.The District Collector,
Chairperson of District Monitoring Committee
District Collectorate,
Namakkal District.

4. The District Revenue Officer,
Convenor of Divisional Monitoring Committee,
Namakkal.



5. The Revenue Divisional Officer,
Chairperson of Divisional Monitoring
Committee,
Namakkal.

6. The Tahsildar,
Rasipuram Taluk,
Namakkal District.

7. The Block Development Officer
cum Executive Officer,
Pattanam Muniyampalayam Panchayat,
Rasipuram Taluk,
Namakkal District – 637 407

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the entire records relating to the impugned order dated 13.05.2026 passed by the 7th respondent and quash the same and consequential direction directing the respondents not to take any coercive steps pertaining to the petitioners' poultry shed, situated at S.No.32/3 of Puthur Malayalapatti Village, Rasipuram Taluk, Namakkal District, till the disposal of the petitioner's representation dated 27.03.2025 seeking realignment of the water course, pending before the District Monitoring Committee and to pass orders.

For Petitioner(s): Mr.Senthil S

For Respondent(s): Mr.M.Murali
Government Advocate



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ORDER

(Order of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2. The petitioners have been served with notice under Section 131 of the Tamil Nadu Panchayats Act, 1994, by the 6th respondent. It is well settled that neither the Panchayat president nor the Block Development Officer can coercively enforce an eviction order. They can however call upon the petitioners to remove the encroachment in question. If the petitioners fail to comply with the said demand, the only coercive action open to the authorities is to refer the matter to the jurisdictional Tahsildar.

3. As and when the Tahsildhar initiates action under the Land Encroachment Act, the petitioners can very well place all his defences. Leaving open all the contentions of the petitioners, this writ petition is disposed of. We once again clarify that the impugned eviction order cannot be coercively enforced by the respondents. No costs. Consequently, connected Miscellaneous Petition is closed.

(G.R.S.,J.) (V.L.N.,J.)
20-05-2026

Index:Yes/No
Speaking Order:Yes/No
Neutral Citation:Yes/No
dna/rka



G.R.SWAMINATHAN J.
and
V.LAKSHMINARAYANAN J.

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To

1. The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Tamil Nadu Government,
Secretariate, Chennai 600 009
2. The Additional Chief Secretary cum
Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai 600 005
3. The District Collector,
Chairperson of District Monitoring Committee
District Collectorate,
Namakkal District.
4. The District Revenue Officer,
Convenor of Divisional Monitoring Committee,
Namakkal.
5. The Revenue Divisional Officer,
Chairperson of Divisional Monitoring
Committee, Namakkal.
6. The Tahsildar,
Rasipuram Taluk,
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Pattanam Muniyampalayam Panchayat,
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