



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-05-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

and

THE HON'BLE MR. JUSTICE V.LAKSHMINARAYANAN

WP No.20717 of 2026

and WMP Nos.22328 and 22330 of 2026

R.Selvakumar

... Petitioner

-VS-

1. The Assistant Director of Town Panchayat,
Collectorate, Erode District, Erode.

2. The Executive Officer,
Sivagiri Selection Grade Town Panchayat,
Sivagiri, Erode District.

3. S.Sankar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 2nd respondent in his Proceedings Na.Ka.No.360/2024, dated 18.05.2026 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.Mohammed Fayaz Ali
Government Counsel for R.1



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ORDER

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

Heard the learned counsel for the writ petitioner and the learned Government Counsel for the first respondent.

2. The writ petitioner challenges the impugned notice dated 18.05.2026 calling upon the petitioner to remove the encroachment in question.

3. It is seen that the notice has been issued under the provisions of a repealed statute, even though this Court vide order dated 12.06.2025 in W.P.No.20789 of 2025 had directed the authorities to take action under the Tamil Nadu Urban Local Bodies Act, 1998. It is also seen that the Executive Officer of the Local Body has not put the petitioner on notice before issuing the impugned order. On these twin grounds, the impugned notice is liable to be quashed.

4. Accordingly, the impugned notice dated 18.05.2026 is quashed and the writ petition is allowed. The second respondent is at liberty to take action



as per the direction issued by this Court in WP No.20789 of 2025 dated 12.06.2025. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (V.L.N., J.)
29-05-2026

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

To

1. The Assistant Director of Town Panchayat,
Collectorate, Erode District, Erode.
2. The Executive Officer,
Sivagiri Selection Grade Town Panchayat,
Sivagiri, Erode District.



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G.R.Swaminathan, J.
and
V.Lakshminarayanan, J.

(sr/sra)

WP No.20717 of 2026

29.05.2026