



WEB COPY

WP No. 24188 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MRS.JUSTICE N. MALA

WP No. 24188 of 2026

AND

WMP NO. 26306 OF 2026

1. Selvaraj,
S/o.Uruman,
1/108,South Arasanatham,
Namakkal-637020
2. Subramani,
S/o.Uruman,
Arasanatham,
Mohanur Taluk,
Namakkal District.

..Petitioner(s)

Vs

The Block Development Officer,
Cum Executive Officer,
Arasanatham Panchayat,
Mohanur Taluk,
Namakkal District.

..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for the entire records relating to the Impugned Order dated 10.06.2026 passed by the Respondent issued under section 131(2) and 222 of the Tamil Nadu Panchayat Act and QUASH the same.



WEB COPY

WP No. 24188 of 2



WP No. 24188 of 2026

For Petitioner(s):

M/s.S.Senthil
D.Vairamoorthy
M.Premkumar
R.Vivek
K.M.Arun
S.Thirumurugn
J.Sri Hari

For Respondent(s):

Mr.K.Surendar, GA

Order

(Order of the Court was made by Dr.G.Jayachandran J.)

- (1) Mr.K.Surendar, learned Government Advocate accepts notice on behalf of the respondent. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.
- (2) The notice issued by the respondent under Sections 131[2] and 222 of the Tamil Nadu Panchayat Act, directing the petitioners to remove the encroachment on the cart track on or before 24.06.2026, failing which, action will be taken as per the provisions of the said Act, is under challenge in this writ petition.
- (3) The learned counsel for the petitioners submitted that the impugned order is passed without conducting proper enquiry and also the order to remove the encroachment is passed without affording an opportunity to the petitioners herein. According to the learned counsel, the procedure



WEB COPY

contemplated under the Act to remove the encroachment has not been followed in the impugned notice. Further, though the impugned notice dated 08.06.2026 was signed by the respondent on 10.06.2026, the same was served on the petitioner only on 17.06.2026. Hence, the learned counsel contended that any coercive action of removal without affording opportunity to the petitioners, is bad in law.

- (4) A perusal of the impugned notice indicates that the cart track is being occupied by the petitioners by putting up a temporary shed and toilets. The impugned notice issued under Sections 131[2] and 222 of the Act, to remove the encroachment is with a caveat that if the petitioners fail to remove the encroachment on or before 24.06.2026, necessary action would be taken as per the procedure laid down in the Act. Therefore, we find no procedural irregularity or illegality in the impugned notice.
- (5) As regards the time to comply with the notice of removal, the petitioners having approached the Court for the aforesaid remedy only after the expiry of the time fixed by the respondent for voluntary removal of the encroachment by the petitioners was over, we are inclined to further extend the time by fifteen days only, to enable the petitioners herein to remove the encroached structures on their own, failing which the respondent shall take necessary action as per law.



(6) With the above direction, the writ petition stands **dismissed**. No costs.

Consequently, the connected miscellaneous petition is closed.

WEB COPY

(G.J.,J.) (N.M.,J.)
25-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

AP

To

The Block Development Officer,
Cum Executive Officer,
Arasanatham Panchayat,
Mohanur Taluk,
Namakkal District.



WEB COPY

WP No. 24188 of 2



**DR.G.JAYACHANDRAN J.
AND
N.MALA J.**

AP

**WP No. 24188 of 2026
AND
WMP NO. 26306 OF 2026**

**25-06-2026
[2/2]**