



W.P(MD)No.1678 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.1678 of 2022

and

W.M.P(MD)No.1479 of 2022

S.Vigneswari

... Petitioner

Vs.

1.The District Collector,
Tenkasi District.

2.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District

3.The Block Development Officer,
Sankarankovil Union,
Tenkasi District.

4.The President,
Periyur Panchayat,
Periyur,
Sankarankovil Taluk,
Tenkasi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the



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impugned order passed by the fourth respondent vide Nil proceedings dated 11.01.2022 and quash the same as unconstitutional and illegal.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.1 & R.2

Mr.V.Omprakash for R.3 & R.4

ORDER

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

Heard both sides.

2.By the impugned proceedings dated 11.01.2022, the President of Periyur Panchayat had called upon the petitioner to remove the encroachment in question.

3.It is well settled that the President of a local body cannot coercively enforce his own order. If the petitioner fails to comply with the demand set out in the impugned notice, the President of the local body has to necessarily approach the jurisdictional Tahsildar to take action under the Land Encroachment Act. As and when proceedings are taken under the said Act, the petitioner is at liberty to place all his defences before the concerned authority.



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WEB COPY 4. With the aforesaid clarification, this Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [R.P, J.]
07.04.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

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2. The Tahsildar,
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Tenkasi District
3. The Block Development Officer,
Sankarankovil Union,
Tenkasi District.
4. The President,
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R.POORNIMA, J.

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