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W.P.(MD) No.3402 of 2026

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 09.02.2026**

**CORAM:**

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN  
and  
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.P.(MD) No.3402 of 2026  
and  
W.M.P.(MD) No.2821 of 2026**

Velliah

... Petitioner

-VS-

- 1.The Tahsildar  
Alangulam Taluk  
Tenkasi District
- 2.The Executive Officer  
Special Grade Town Panchayat  
Alangulam, Tenkasi District
- 3.The Inspector of Police  
Alangulam Police Station  
Tenkasi

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records relating to the impugned eviction order of the 2<sup>nd</sup> respondent in Na.Ka.No.233/2024 dated 27.01.2026 quash the same.



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For Petitioner : Mr.K.Appadurai  
For Respondents : Mr.S.P.Maharajan  
Special Government Pleader for R1 & R2  
Mr.K.Gnanasekaran  
Government Advocate (Criminal Side) for R3

**ORDER**

**[Order of the Court was made by DR.G.JAYACHANDRAN, J.]**

This writ petition is filed challenging the proceedings dated 27.01.2026, issued by the Executive Officer / second respondent, under Section 128 (1)(a&b) & (2)) of the Tamil Nadu Urban Local Bodies (Amendment) Act, 2022.

**2.** Learned counsel for the petitioner submits that in the earlier round of litigation, the Division Bench of this Court has directed the Executive Officer / second respondent to conduct survey after issuing notice to all the interested persons and encroachers and if any encroachment is identified during survey, the same shall be removed in accordance with law. However, no such notice has been issued to the petitioner before conducting survey.



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**3.** Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for the respondents 1 & 2, on instructions, submits that the land encroached by the petitioner herein is not a water body, but it is a public pathway. A survey was conducted and Form-I was submitted by the Surveyor to the second respondent and only thereafter, the second respondent has issued the impugned proceedings. Though time till 04.02.2026 was granted to the petitioner for removal of encroachment made by him in the subject land, he has not removed the encroachment nor made any objection to the authority concerned for removal of the encroachment.

**4.** On perusal of the records, this Court is of the view that the ground raised by the petitioner that no prior notice was issued to him before conducting survey is not sustainable, since a survey was conducted long back and a report through Form-I has been submitted to the second respondent and only after following due procedures, the impugned proceedings has been issued, since no further objection was received from the petitioner herein. Further, it is seen that the petitioner claims himself as a Trustee of Irukkangudi Mariamman Temple, Alangulam, Tenkasi District and apparently,



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the structure made by him is found on the pathway as per the survey report.

Hence, we are not inclined to entertain this writ petition.

**5.** Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

**[G.J., J.]                      [K.K.R.K., J.]**

**09.02.2026**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Tahsildar,  
Alangulam Taluk,  
Tenkasi District.
- 2.The Executive Officer,  
Special Grade Town Panchayat,  
Alangulam, Tenkasi District.
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**DR.G.JAYACHANDRAN, J.**  
**AND**  
**K.K.RAMAKRISHNAN, J.**

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**and**  
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