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W.P.(MD)NO. 4544 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4544 of 2026 AND

W.M.P.(MD)Nos.3815 & 3816 of 2026

Sheikthauthu @ Sheikh Mohammed

... Petitioner

Vs.

1. The District Collector,
Pudukkottai,
Pudukkottai District.
2. The Tahsildar,
Gandarvakottai Taluk,
Pudukkottai District.
3. The Block Development Officer,
Gandarvakottai Union,
Gandarvakottai,
Pudukkottai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, issuing a Writ of Certiorari, to call for the entire records relating to the impugned notice passed by the third respondent in his proceedings in Na.Ka.No.15/2025 dated 05.01.2026 and quash the same as illegal.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

* * *

**ORDER**

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Heard both sides.

2. What is under challenge is the impugned communication issued by the jurisdictional Block Development Officer calling upon the petitioner to remove the petition-mentioned encroachments.

3. It is well settled that the Block Development Officer cannot enforce eviction order on his own. It is only the jurisdictional Tahsildar who can take action under the Tamil Nadu Land Encroachment Act, 1905. However, the Block Development Officer is entitled to point out the encroachments committed by the petitioner and call upon him to remove the encroachment. He cannot take any coercive action on his own. Clarifying the legal position, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
19.02.2026

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

PMU



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