



W.P(MD)No.5528 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.5528 of 2022

and

W.M.P(MD)No.4475 of 2022

S.Govindaraj

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildhar,
Palani Taluk,
Dindigul District.

3.The President,
Panchayat Union Office,
Korikkadavu,
Narikkalpatti Post,
Thoppampatti Panchayat Union,
Palani Taluk,
Dindigul District.

... Respondents

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



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pertaining to the Impugned Notice issued by the 3rd Respondent dated 07.03.2022 and quash the same and consequently directing the Respondents not to disturb the possession of the Petitioner's land comprised in Survey No.638/4 situated at Korikkadavu Village, Palani Taluk, Dindigul District.

For Petitioner : Mr.P.Krishnasamy

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

Mr.K.Balasubramani
for R.3

ORDER

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

Heard both sides.

2.By the impugned communication dated 07.03.2022, the President of Thoppampatti 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



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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.

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

1. The District Collector,
Dindigul District, Dindigul.
2. The Tahsildhar,
Palani Taluk, Dindigul District.
3. The President,
Panchayat Union Office,
Korikkadavu,
Narikkalpatti Post,
Thoppampatti Panchayat Union,
Palani Taluk, Dindigul District.



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