



W.P(MD)No.6405 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.6405 of 2022

and

W.M.P(MD)No.4991 of 2022

Ganesan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Tuticorin District .
- 2.The Revenue Divisional Officer,
Tuticorin,
Tuticorin District .
- 3.The Tahsildar,
Ottapidaram Taluk,
Tuticorin District.
- 4.The Block Development Officer,
Ottapidaram Panchayat Union,
Ottapidaram,
Tuticorin District.
- 5.The President,
Keelaarasadi Panchayat,
Ottapidaram Union,
Tuticorin District.



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6.Gandhi Mallar,
State President,
Tamil Nadu People Party,
(Tamil Nadu Makkal Katchi),
No.3/189, East Cost Road,
Kolathur Post,
Ottapidaram Taluk,
Tuticorin 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 pertaining to the impugned notice passed by the fifth respondent in Na.Ka.No.A1/001/2022 dated 14.03.2022 and quash the same and consequently direct the respondents to consider the petitioner's representation dated 17.03.2022.

For Petitioner : Mr.R.Jegadeeswaran

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.1 to R.5

Mr.A.D.Ganeshamoorthi
for R.6

ORDER

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

Heard both sides.

2.By the impugned Communication dated 14.03.2022, the President of Keelaarasadi Panchayat had called upon the petitioner to remove the encroachment in question.



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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.

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

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

To

1.The District Collector,
Collectorate,
Tuticorin District .

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2.The Revenue Divisional Officer,
Tuticorin,
Tuticorin District .

3.The Tahsildar,
Ottapidaram Taluk,
Tuticorin District.

4.The Block Development Officer,
Ottapidaram Panchayat Union,
Ottapidaram,
Tuticorin District.

5.The President,
Keelaarasadi Panchayat,
Ottapidaram Union,
Tuticorin District.



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AND

R.POORNIMA, J.

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