



W.P(MD)No.7147 of 2020

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.7147 of 2020

and

W.M.P(MD)No.6584 of 2020

M.Chandraprabha

... Petitioner

Vs.

1.The President,
Karuppayurani Panchayat,
Madurai East,
Madurai.

2.The Principal Secretary,
Housing and Urban Development Department,
Secretariat,
Fort St.George,
Chennai - 600 009.

***(R.2 is impleaded vide order
of this Court dated 06.08.2020
in W.M.P(MD)No.8187 of 2020)***

... 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 Impugned Order dated 06.02.2020 and consequential Impugned Order dated 28.05.2020 on the file of respondent and quash the same as illegal.



W.P(MD)No.7147 of 2020

For Petitioner : Mr.M.Mahaboob Fazil
For Respondents : Mr.T.Amjad Khan
Government Advocate for R.2

ORDER

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

Heard both sides.

2.By the impugned Communication dated 06.02.2020, the President of Karuppayurani 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.



W.P(MD)No.7147 of 2020

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 President,
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Madurai East,
Madurai.

2. The Principal Secretary,
Housing and Urban Development Department,
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Fort St. George,
Chennai - 600 009.



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AND

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