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W.P.(MD)NO.10441 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R.POORNIMA

W.P.(MD)No.10441 of 2022

and

W.M.P.(MD)No.7511 of 2022

T.Kasinathan

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Block Development Officer,
Thirupananthal Panchayat Union,
Thanjavur District.
3. The Narikudi Village Panchayat,
Rep. by its President,
Narikudi Panchayat,
Thiruvidaimaruthur Taluk,
Thanjavur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the third respondent not to remove the petitioner's land in S.No.80/5A3, 5B, 5C and 5D situated at Narikudi Village, Thiruvidaimaruthur Taluk, Thanjavur District.



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For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents : Mr.M.P.Senthil,
Government Advocate.

* * *

ORDER**(Order of the Court was delivered by G.R.SWAMINATHAN, J.)**

Heard both sides.

2. The petitioner wants this Court to forebear the third respondent from taking action in respect of the petition mentioned survey numbers. They are as follows:-

“Survey Nos.80/5A3, 80/5B, 80/5C and 80/5D situated at Narikudi Village, Thiruvudaimaruthur Taluk, Thanjavur District.”

3. It is seen from the materials on record that the petitioner is not having patta for survey No.80/5B. Therefore, the authorities can take action in respect of the said survey number alone. Of course, they have to follow due process of law. The local body can call upon the petitioner to remove the encroachment. If the petitioner fails to comply with the said demand, it is for the jurisdictional Tahsildar to



take action under the Land Encroachment Act, 1905. Therefore, this

writ petition is dismissed in respect of survey No.80/5B and it is

allowed in respect of the other three survey numbers because they

are petitioner's patta lands. This writ petition stands partly allowed.

No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)
01st June 2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

PMU

To:

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Block Development Officer,
Thirupananthal Panchayat Union,
Thanjavur District.
3. The President,
Narikudi Village Panchayat,
Narikudi Panchayat,
Thiruvudaimaruthur Taluk,
Thanjavur District.



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