



W.P(MD)No.9521 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.P(MD)No.9521 of 2026
and
W.M.P(MD)No.7586 of 2026**

Veerappan @ Chinnadurai

... Petitioner

vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Commissioner/Block Development Officer,
Alangudi Town Panchayath,
Pudukkottai District.

3.The Executive Officer,
Alangudi Town Panchyath,
Pudukkotai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorarified Mandamus, to call for



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records relating to the impugned order passed by the third respondent in his proceedings in Na.Ka.No.85/2025 dated 16.03.2026 and quash the same as illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents to not to disturb the peaceful possession and enjoyment of the petitioner's property in Survey No.14/5A1A1 to an extent of 68 cents situated at Alangudi Village, Pudukkottai District.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.A.Kannan (R1)
Additional Government Pleader

: Mr.D.Sasi Kumar (R2 & R3)
Additional Government Pleader

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

Challenging the notice issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, by the third respondent dated 16.03.2026, the petitioner has filed the present Writ Petition, and consequently, seeks a direction to the respondents to refrain from disturbing the peaceful possession and enjoyment of the petitioner's property in Survey

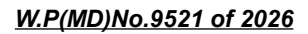


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WEB COPY No.14/5A1A1, measuring 68 cents, situated at Alangudi Village, Pudukkottai District.

2.It is the grievance of the petitioner that he claims to have purchased the property through a registered sale deed and has been in peaceful possession of the property since then. The property was originally part of a larger plot, and a pathway was created when the plot was divided into smaller plots. This pathway, however, was never handed over to the Town Panchayat.

3.The petitioner alleges that adjacent real estate developers, seeking to encroach on his property, influenced the third respondent to take action against him. The impugned order, issued under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, directs the petitioner to remove the alleged encroachment within three days, failing which the third respondent will take action with the help of local police and recover the costs from the petitioner. The petitioner further submits that the order was



4. The learned counsel for the petitioner submitted that the property is private, and there is no encroachment. As per Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, a 15-day notice period must be given, but the impugned notice grants only 3 days for removal.

5. The learned Additional Government Pleader, who takes notice for the respondents 2 and 3, submitted that under Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, a 15-day notice must be given, but only 3 days' notice was provided. He further submitted that the respondents will take further action as per the law.

6. In view of the above, since the impugned notice was issued in violation of the mandatory procedures, the impugned order passed by the third respondent on 16.03.2026 stands quashed, with liberty to the third respondent to issue a fresh notice granting 15 days as per the law.



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7. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
07.04.2026

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

To

1. The District Collector,
Pudukkottai District,
Pudukkottai.

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