



W.P(MD)No.13933 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.13933 of 2020

and

W.M.P(MD)No.11589 of 2020

P.Sivasubramani

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
- 3.The Block Development Officer
(Village Panchayats),
Oddanchatram Panchayat Union,
Dindigul District.
- 4.The Village Panchayat President,
Odaipatti Village Panchayat,
Oddanchatram Panchayat Union,
Dindigul District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the order passed by the 4th Respondent in Notice No.Letter Na.Ka.No.02/2020-21 dated 26.09.2020 quash the same as illegal and without jurisdiction and consequently direct the 3rd Respondent to grant patta by way of regularization of long standing encroachment over a period of 50 years on payment of market value in terms of G.O.Ms.No.318 Revenue and Disaster Management Department dated 30.08.2019 within the specific time frame as fixed by this Court.

For Petitioner : M/s.W.Pamwlin

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

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

Heard both sides.

2.By the impugned Communication dated 26.09.2020, the President of Odaipatti Village 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.]
23.03.2026

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

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
3. The Block Development Officer
(Village Panchayats),
Oddanchatram Panchayat Union,
Dindigul District.

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AND

R.POORNIMA, J.

MGA

4. The Village Panchayat President,
Odaipatti Village Panchayat,
Oddanchatram Panchayat Union,
Dindigul District.

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