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W.P.(MD)NO.14254 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14254 of 2021

and

W.M.P.(MD)No.11192 of 2021

V.Kalaiselvam

... Petitioner

Vs.

1. The President,
Kottairuppu Panchayat,
Thirupattur Taluk, Sivagangai District.

2. M.Susheela,
President,
Kottairuppu Panchayat,
Thirupattur Taluk,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for records relating to the impugned proceedings / order of eviction in proceedings NIL dated NIL made by the first respondent in respect of lands in survey No.190, Kottairuppu Village, Thirupattur Taluk, Sivagangai District and quash the same as illegal.

For Petitioner : Mr.C.R.Kasi Viswanathan

For Respondents : Mr.M.P.Senthil,
Government Pleader for R-1.
No appearance for R-2.



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ORDER

Heard both sides.

2. What is under challenge is an eviction order passed by the President of the local body.

3. We have been consistently holding that the President of a village panchayat cannot coercively enforce his own order. However, he has the right to issue notice demanding removal of encroachment. If the petitioner declines to comply with the demand, the only remedy open to the Panchayat President is to refer the matter to the jurisdictional Tahsildar. As and when the writ petitioner receives notice from the Tahsildar under the Tamil Nadu Land Encroachment Act, the petitioner can place his contentions. The writ petition stands disposed of with the aforesaid clarification. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
2nd June 2026

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

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To:

The President,
Kottairuppu Panchayat,
Thirupattur Taluk,
Sivagangai District.



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