



W.P(MD)No.14965 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.14965 of 2020

and

W.M.P(MD)No.12595 of 2020

A.Manoharan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildhar,
Melur Taluk,
Madurai District.

3.The Block Development Officer,
Melur Panchayat Union,
Melur Taluk,
Madurai District.

4.The President,
Therkutheru Village Panchayat,
Melur Taluk,
Madurai District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the Impugned Order passed by the 4th respondent in Na.Ka.No.01/2020-2021 dated 15.10.2020 and quash the same as illegal.

For Petitioner : Mr.S.Sethupathi

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.1 & R.2

ORDER

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

Heard both sides.

2.By the impugned Communication dated 15.10.2020, the President of Therkutheru 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 body has to necessarily approach the jurisdictional Tahsildar to take action under the Land Encroachment Act. As and when proceedings are



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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,
Madurai District,
Madurai.
2. The Tahsildhar,
Melur Taluk,
Madurai District.
3. The Block Development Officer,
Melur Panchayat Union,
Melur Taluk, Madurai District.
4. The President,
Therkutheru Village Panchayat,
Melur Taluk,
Madurai District.

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