



W.P(MD)No.14978 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.14978 of 2020

and

W.M.P(MD)Nos.12613 of 2020 & 6292 of 2022

Chellapandi

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai – 625 020.

2.The Tahsildar,
Taluk Office, Melur,
Madurai District.

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

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

5. Mr.S.K.Jeganathan

... 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 records pertaining to the impugned order passed by the 4th Respondent vide proceedings in Na.Ka.No.01/2020-2021 dated 15.10.2020 and consequently forbear the Respondents 1 to 4 from evicting me and my family members from my dwelling house which is situated at Door No.3/164 Jawahar Street, Therkutheru Village, Melur Taluk, Madurai District without following due process of law.

For Petitioner : Mr.R.Karunanithi

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

Mr.K.P.Narayanakumar for R.3

Mr.K.Sathiyasingh for R.4

Mr.J.Balameenakshi for R.5

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 Panchayat had called upon the petitioner to remove the encroachment in question.



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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 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 petitions are 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 – 625 020.

2.The Tahsildar,
Taluk Office, Melur,
Madurai District.

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

4.The President,
Therkutheru Panchayat,
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AND

R.POORNIMA, J.

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