



W.P(MD)No.16262 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.16262 of 2020

and

W.M.P(MD)No.13593 of 2020

K.Subramanian

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildhar,
Kovilpatti,
Thoothukudi District.

3.The Block Development Officer,
(Village Panchayat),
Kovilpatti, Thoothukudi District.

... Respondents

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 proceedings of the impugned notice in Thi3/3103/2020 dated 03/11/20 on the file of the third respondent and to quash the same.

For Petitioner : Mr.I.Robert Chandrakumar



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

ORDER

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

Heard both sides.

2.The petitioner challenges the impugned order issued by the third respondent. It is well settled that the jurisdictional BDO can only call upon an encroacher to vacate but cannot take any coercive measures against the encroacher. It is the jurisdictional Tahsildar who can take steps to remove the encroachment, if any. As and when the petitioner receives notice from the jurisdictional Tahsildar, the petitioner can raise all his contentions and defences. We make it clear that we have not gone into the merits of the matter.

3.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.]
24.03.2026

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



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To

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Thoothukudi District,
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G.R.SWAMINATHAN, J.

AND

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