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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on	:	21.01.2026
Pronounced on	:	29.01.2026

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.P.(MD).No.22703 of 2023
and
W.M.P.(MD).No.18969 of 2023**

Selvaraj

.. Petitioner

Vs.

- 1.The District Collector,
Tenkasi District.
- 2.The Assistant Director of Panchayat,
Tenkasi District.
- 3.The Block Development Officer,
Kadayam Union, Tenkasi District.
- 4.The President,
Kadayamperumpathu Panchayat,
Kadayamperumpathu,
Tenkasi District.
- 5.P.Jeyaraj

.. Respondent/
Complainant



PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, to call for the records of the impugned Order in Na.Ka.No.COLRD/1626/2023/A4 dated 26.07.2023 on the file of the 1st respondent and for the consequential direction in Na.Ka.No.COLRD/1626/2023/A4 dated 08.08.2023 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.J.Ashok

Additional Government Pleader
for R1 and R2

: Mr.J.K.Jayaseelan
Government Advocate for R3 and R4

COMMON ORDER

[Order of the Court was made by **Mr.K.K.RAMAKRISHNAN.J**]

The petitioner is a resident of a Hamlet, namely, mettur hamlet, Kadayamperumpathu Panchayat situated in Tenkasi District. He has filed the present writ petition in public interest, challenging the impugned proceedings wherein, the Inspector of Panchayat/Collector resolved the boundary dispute between Veikkalpatti Hamlet and Mettur Hamlet by fixing boundaries and forming Sabari nagar Hamlet within the Kadayamperumpethu Panchayat and consequently, to recognize the name as Sabari Nagar Hamlet, for issuance of building plan permission, housing



plot permission and other charges of panchayat on the ground that the Inspector of Panchayat, namely the District Collector, has no jurisdiction to form a separate hamlet and to divide or demarcate its boundaries.

2. According to the petitioner, the segregation and declaration of Sabari Nagar as a sub-hamlet has caused serious prejudice to the villagers of Mettur Hamlet. He further contends that the formation of Sabari Nagar Hamlet is not in the interest of the Panchayat, particularly the residents of Mettur Hamlet, for the reason that already more areas of the Sabari Nagar falls within the Mettur hamlet for which the tax receipts had been issued as Sabari Nagar Mettur Hamlet. Earlier there was no such hamlet as Sabari Nagar Hamlet and it has only two streets and hence, formation of the Sabari Nagar as Sabari Nagar Hamlet is not within the jurisdiction of the Inspector of Panchayat. Hence, he seeks to set aside the impugned order and the consequential direction issued by the District Collector, Inspector of Panchayats, permitting the collection of land and property tax in the name of Sabari Nagar Hamlet.

3. The respondents have filed a detailed counter affidavit stating that as early as 1998 due to over-population, Sabari Nagar was formed and



existed and the 4th respondent filed writ petition before this Court to issue writ of Mandamus directing the District Collector and the Government to conduct necessary inspection with Revenue Records and resolve the territorial dispute between the Mettur Village and Veikkalipatti at Kadayamperumpathu Panchayat and this Court directed the District Collector to resolve the dispute as per Section 4 of the Tamil Nadu Panchayat Act, 1994. The District Collector as Inspector of Panchayat constituted a committee with various revenue officials and also panchayat president of Kadayamperumpathu Panchayat and made the personal inspection and obtained the report from the committee and fixed the boundaries after conducting the public meeting and decided to form the hamlet of Sabari Nagar and resolved the boundaries dispute as per the direction of this Court vide impugned order. There was no malafides on the part of the Inspector of Panchayat. It is stated that there is a clear demarcation of boundaries between Sabari Nagar Hamlet, Mettur Hamlet, and Vaikalpetti Hamlet. It is further contended that the Collector is empowered under Section 4 of the Tamil Nadu Panchayats Act, 1994, and therefore, there is no infirmity in the impugned order. Volumes of documents also were produced before this Court to show the Inspector of Panchayat passed the impugned order after verification of Habitation Wise



Assessments and other physical features. Hence, dismissal of the writ petition is sought.

4. The learned counsel for the petitioner reiterated the grounds stated in the affidavit and specifically contended that the District Collector has no jurisdiction either to name a hamlet or to demarcate boundaries, and that the impugned order has been passed without authority of law.

4.1. On the other hand, the learned Government Advocate submitted that Section 4 of the Tamil Nadu Panchayats Act confers wide powers on the Inspector of Panchayats, namely the District Collector. It was further submitted that in order to resolve the long-standing boundary disputes among the hamlets of Kadayamperumpathu Panchayat, and pursuant to the directions of this Court, the Collector conducted a detailed enquiry and passed the impugned order, which does not suffer from any legal infirmity.

5. This Court has carefully examined the records. In order to address the contention regarding lack of jurisdiction, it is relevant to extract Section 4 of the Tamil Nadu Panchayats Act, which is hereunder:

Formation of Panchayat Villages- (1) The inspector



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(a) Shall, by notification, classify and declare every local area comprising revenue village or villages or any portion of a revenue village or contiguous portions of two or more revenue villages as a panchayat village for the purpose of this Act; and

b) shall, by notification, specify the name of such panchayat Village.

2)a) The Inspector may, by Notification, exclude from a Panchayat Village any area comprised therein,

[(b) In regard to any area excluded under clause (a), the Inspector may by notification under sub-section (1) declare it to be a Panchayat Village or include it in any contiguous Panchayat Village under clause (c)(i).]

(c) The Inspector may, by notification,-

(i) include in a Panchayat Village any local area contiguous thereto; or

(ii) cancel or modify a notification issued under Sub-Section(1); or

(iii) alter the name of any Panchayat Village specified under Sub-Section (1).

(d) Before issuing a notification under clause (a) or under clause (b) read with sub-Section (1) or under clause (c), the Inspector shall give the Village Panchayat or Village Panchayats which will be affected by the issue of such notification, a reasonable opportunity or showing cause against the proposal and shall consider the explanations and objections, if any, of such village panchayat or Village Panchayats.

(3) Any rate-payer or inhabitant of such area or any



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Village Panchayat concerned, may if he or it objects to any notification under sub-section (1) or sub-Section (2), appeal to the Government within such period as may be prescribed.

(4)The Inspector may pass such orders as he may deem fit-

(a)as to the disposal of the property vested in a Village Panchayat which has ceased to exist and the discharge of its liabilities.

(b)as to the disposal of any part of the property vested in a village panchayat which has ceased to exercise jurisdiction over any local area, and the discharge of the liabilities of the Village Panchayat relating to such property or arising from such local area.

(5)An order made under sub-section (4) may contain such supplemental, incidental and consequential provisions as the Inspector may deem necessary, and in particular may direct-

(i)that any tax, fee or other sum due to the Village Panchayat or where a Village Panchayat has ceased to exercise jurisdiction over any local area, such tax, fee or other sum due to the Village Panchayat as relates to that area shall be payable to such authorities as may be specified in the order;

(ii)that appeals, petitions, or other applications with reference to any such tax, fee or sum which are pending on the date on which the Village Panchayat ceased to exist or, as the case may be, on the date on which the Villages Panchayat cease to exercise jurisdiction over the local area, shall be disposed of by such authorities as may be specified in the order.



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5.1.From the above Section 4 clearly confers powers upon the Inspector of Panchayats to deal with matters relating to formation, alteration, and demarcation of Panchayat areas and hamlets.

6.Earlier, the 4th respondent filed writ petition before this Court in W.P.(MD).No.7973 of 2023 to issue writ of mandamus for direction the Government and the District Collector to conduct necessary inspection with Revenue Records and resolve territorial dispute between the Mettur Village and Veikkalipatty Village of Kadayamperumpathu Panchayat and the Hon'ble Division Bench of this Court passed the following orders dated 12.04.2023:

4.Section 4 of the Tamil Nadu Panchayat Act, 1994, authorizes the District Collector, in his capacity as Inspector of Panchayats, to decide on the disputes relating to boundaries of Panchayats. It is seen from the records that the parties have petitioned the District Collector, Tenkasi District/ Inspector of Panchayats fro resolution of the disputes between the two Villages. As the Inspector of Panchayats and the Statutory Authority vested with the powers, the District Collector, Tenkasi District, is expected to resolve the dispute.

5.Hence, this writ petition is disposed of with a direction to the District Collector, Tenkasi District/third



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respondent to resolve the dispute by disposing the petitioner's representation dated 13.03.2023 at the earliest, at any rate within a period of four weeks from the date of receipt of a copy this order. No costs.

7.As per the records produced before this Court, the Inspector of Panchayat/Collector had constituted a committee under his Chairmanship and with committee members, District Revenue Officer, Assistant Director (land Survey), Personal Assistant to Collector (Development Section), Assistant Director (Panchayats), Revenue Divisional Officer, Block Development Officer (Block Panchayat), Block Development Officer (Village Panchayat) and Panchayat President, Kadayamperumpathu Panchayat and the committee on field inspection submitted a report dated 03.07.2023 to the Collector. The Committee also conducted survey in the presence of the public and formed the opinion and submitted the same before the inspector of Panchayat and the Inspector of Panchayat after the field inspection, convened the meeting on 25.07.2023 and finally decided and passed the impugned order with the following boundaries of the hamlets.

Veykalikapatti Hamlet boundaries:

East	Vengadampatti Panchayat
West	Railway Lane



South	Keelakadayam Panchayat
North	Ariappapuram Panchayat and Avudaiynoor Panchayat parts

Mettur Hamlet Boundaries

East	Railway lane
West	Keelakadayam Panchayat Parts
South	Keelakadayam Panchayat Parts
North	Sabari Nagar

Sabari Nagar Hamlet Boundaries

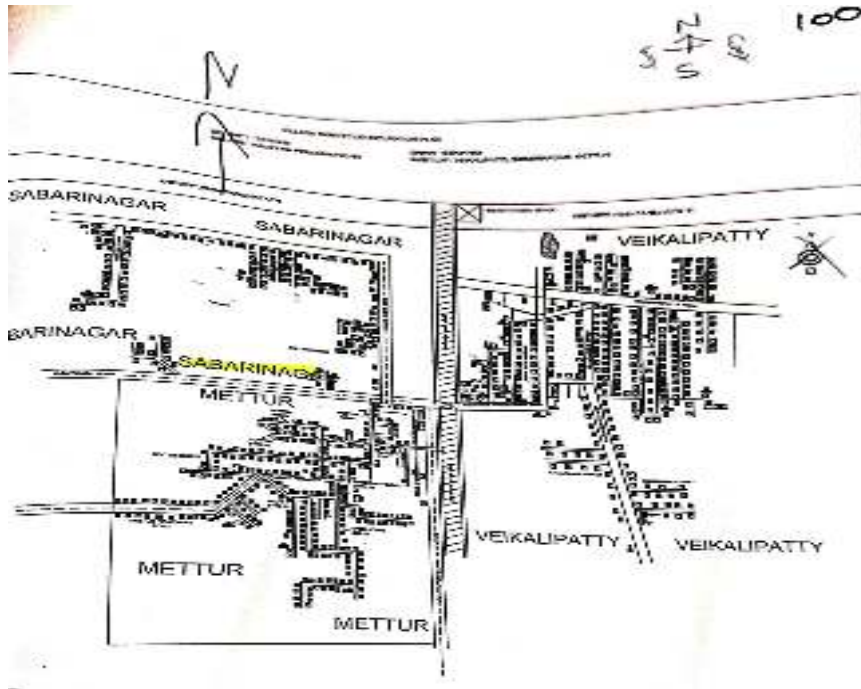
East	Railway lane
West	Tenkasi – Ambai Main Road
South	East-West road from the railway gate towards Tenkasi-Ambai connecting road
North	Ariyappapuram Panchayat parts

8.The District Collector/Inspector of Panchayat also had taken into account of the development and the land expansion in the name of Sabari Nagar for more than 33 years for providing welfare measures, named the Sabari Nagar as a Sabari Nagar hamlet. In the affidavit filed in support of the writ petition there was no material particulars to establish any prejudice would be caused to the Mettur Hamlet due to the naming of the Sabari Nagar Hamlet and also there was no pleadings of either malafide or arbitrariness.



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9. This Court also upon the perusal of the records finds no material circumstances to presume arbitrariness and colourable exercise of the power in irrational manner on the part of the Inspector of Panchayat in passing the impugned order and also the Collector/Inspector of Panchayat acted strictly in accordance with the power conferred under Section 4 of the Tamil Nadu Panchayat Act, to resolve the boundary dispute by forming the Sabari Nagar Hamlet with specific boundaries in compliance with the directions issued by this Court in the earlier writ petition. The demarcation of boundaries was carried out based on the physical features and ground realities which demarcation delineated hereunder clearly justified the decision of the Inspector of Panchayat as a fair decision without any arbitrariness:



10. In view of the above discussion, this Court is of the considered view that the District Collector as Inspector of Panchayat acted well within the powers conferred under the Act, and no illegality or infirmity is found in the impugned order.

11. Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.J.,J.] & [K.K.R.K.,J.]
29.01.2026

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
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To.

1. The District Collector,
Tenkasi District.
2. The Assistant Director of Panchayat,
Tenkasi District.
3. The Block Development Officer,
Kadayam Union, Tenkasi District.



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**DR.G.JAYACHANDRAN, J.
and
K.K.RAMAKRISHNAN, J.**

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