



W.P.(MD) No.19960 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.19960 of 2026

and

W.M.P.(MD)Nos.14724 to 14726 of 2026

S.Shaju

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
at Nagercoil.
- 2.The Superintendent of Police,
Kanyakumari District, at Nagercoil.
- 3.The Deputy Superintendent of Police,
Marthandam, Kanyakumari District.
- 4.The Assistant Director of Panchayat (Village Panchayat),
Collectorate Building, Nagercoil, Kanyakumari District.
- 5.The Deputy Director of Health Services,
Nagercoil, Kanyakumari District.
- 6.The Assistant Director of Animal Husbandry Department,
Thucklay at Swamiarmadam, Kanyakumari District.
- 7.The Block Development Officer (Village Panchayat),
Melpuram Panchayat Union,
Melpuram, Pacode Post,
Kanyakumari District.



W.P.(MD) No.19960 of 2026

8.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Eviction Notice issued by the seventh respondent in his proceedings in A11/1162/2018 dated 13.05.2026 and to quash the same and consequently direct the seventh respondent not to interfere in the peaceful running of the petitioner's Pig Farm at R.Sy.No. 502/2A1 of Arumanai Village, Manjalumoodu, Kanyakumari District.

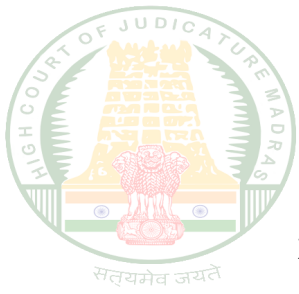
For Petitioner : Mr.Isaac Mohanlal
Senior Counsel
for Mr.M.R.Sreenivasan

For R1 and R4 to R7 : Mr.S.Venkatesh
Government Standing Counsel

For R2, R3 and R8 : Mr.P.Vetrivel
Government Advocate (Criminal side)

ORDER

The petitioner is aggrieved by the impugned proceedings of the seventh respondent/Block Development Officer in Ref.No.A11/1162/2018 dated 13.05.2026.

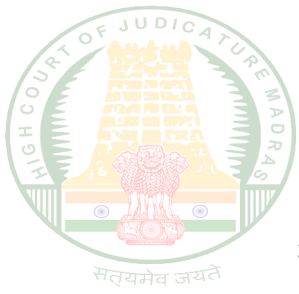


W.P.(MD) No.19960 of 2026

2. It is the specific case of the petitioner that he has been running a Pigsty (Pig Farm) at Manjalumoodu Panchayat, Kanniyakumari District, for more than 13 years after obtaining the necessary permissions from the Deputy Director of Animal Husbandry and other statutory authorities.

3. According to the petitioner, the impugned proceedings were initiated based on a complaint dated 30.04.2026 lodged by one Anthony Muthu, stated to be a member of the Communist Party of India (Marxist–Leninist), and on the report of the Deputy Block Development Officer alleging that the food waste brought by the petitioner from the State of Kerala was causing nuisance and posing a health hazard to the residents of the Village and that the waste generated from the Pigsty (Pig Farm) was polluting the water in the River Thamirabarani.

4. The learned Senior Counsel appearing for the petitioner submitted that the impugned order was passed without issuing any notice or affording an opportunity of hearing to the petitioner. It was further submitted that, although the petitioner had submitted a representation, the same was not considered. Instead, the Officials visited the Pigsty (Pig Farm) in the morning with a view to removing the pigs from the farm.

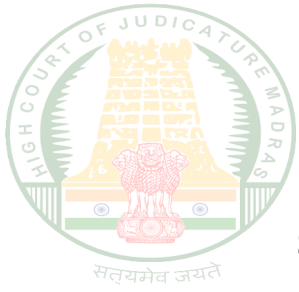


W.P.(MD) No.19960 of 2026

5. It was further submitted that the petitioner presently has about 30 pigs in the farm and that the establishment is registered under the MSME. Consequently, the impugned proceedings seriously affect the petitioner's means of livelihood.

6. Per contra, the learned Standing Counsel appearing for the respondents 1 and 4 to 7 submitted that the reply relied upon by the petitioner, found at page 57 of the typed set of papers, has no nexus whatsoever with the impugned proceedings of the seventh respondent. It was further submitted that the petitioner had been granted seven days' time to vacate the premises but had failed to take any meaningful steps.

7. Having considered the rival submissions, this Court is of the view that the impugned proceedings suffer from a clear violation of the principles of natural justice. Even assuming that the authorities had valid grounds to direct the petitioner to discontinue the Pigsty (Pig Farm) and remove the pigs, they were required to issue a proper show cause notice informing the petitioner of the proposed action, the statutory provisions or Government Orders under which such action was contemplated, and to afford him a reasonable opportunity to submit his explanation. Admittedly, no such procedure has been followed in the present case.



W.P.(MD) No.19960 of 2026

8. Accordingly, the impugned proceedings dated 13.05.2026 are quashed and the matter is remitted to the seventh respondent for fresh consideration. The seventh respondent shall issue an appropriate show cause notice, clearly indicating the statutory provisions and/or Government Orders under which the petitioner is alleged to be disentitled from carrying on the business of rearing pigs in the Pigsty (Pig Farm), afford the petitioner an effective opportunity of personal hearing, furnish a copy of the report referred to as Item No.2 in the impugned proceedings, consider the petitioner's explanation, and thereafter pass a reasoned order on merits and in accordance with law.

9. The Writ Petition stands disposed of accordingly. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

NCC : Yes / No
smn2

13.07.2026

To

1.The District Collector,
Kanyakumari District at Nagercoil.



W.P.(MD) No.19960 of 2026

WEB COPY

- 2.The Superintendent of Police,
Kanyakumari District at Nagercoil.
- 3.The Deputy Superintendent of Police,
Marthandam, Kanyakumari District.
- 4.The Assistant Director of Panchayat (Village Panchayat),
Collectorate Building, Nagercoil, Kanyakumari District.
- 5.The Deputy Director of Health Services,
Nagercoil, Kanyakumari District.
- 6.The Assistant Director of Animal Husbandry Department,
Thucklay at Swamiarmadam, Kanyakumari District.
- 7.The Block Development Officer (Village Panchayat),
Melpuram Panchayat Union,
Melpuram, Pacode Post,
Kanyakumari District.
- 8.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.



WEB COPY



W.P.(MD) No.19960 of 2026

C.SARAVANAN, J.

smn2

W.P.(MD) No.19960 of 2026

13.07.2026