



W.P(MD)No.22667 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.22667 of 2026

S.Vadivukarasi

... Petitioner(s)

vs.

The Commissioner,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District-624 101.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing to grant the petitioner two months time to vacate the petty shop situated at Assessment No. 079/006/00001, Ward No.6, Building Society, M.M.Street, Kodaikanal, Dindigul District, pursuant to the proceedings in Na.Ka.No.94/2009/F1 dated 23.07.2026, and consequently forbear the respondent from evicting the petitioner by coercive process during the said period.

For Petitioner	: Mr.M.Yogeswaran
For Respondent	: Mr.T.S.Mohammed Mohideen



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing to grant the petitioner two months time to vacate the petty shop situated at Assessment No.079/006/00001, Ward No.6, Building Society, M.M.Street, Kodaikanal, Dindigul District, pursuant to the proceedings in Na.Ka.No. 94/2009/F1 dated 23.07.2026, and consequently forbear the respondent from evicting the petitioner by coercive process during the said period.

2.Heard the learned counsel for the parties.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel appearing for the petitioner would submit that the petitioner is a poor woman residing at Building Society, M.M.Street, Kodaikanal, Dindigul District. She has been eking out her livelihood by running a small petty shop in the premises in question for several years. Earlier, the respondent issued an eviction notice dated 23.06.2022, challenging which the



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petitioner filed W.P.(MD) No.14368 of 2022 before this Court. The said writ petition came to be disposed of by setting aside the eviction notice on the ground of violation of the principles of natural justice. Thereafter, a fresh order of eviction was passed on 05.08.2022, challenging which the petitioner filed W.P. (MD) No.20382 of 2022. The Division Bench of this Court, by order dated 09.06.2026, granted one month's time to the petitioner to vacate the premises. Thereafter, apprehending further coercive action for eviction, the present writ petition has been filed. The learned counsel for the petitioner therefore prays that this Court may grant two months' time to the petitioner to vacate the shop.

5. Per contra, the learned counsel appearing for the respondent would submit that the prayer sought for in the present writ petition is contrary to the order passed by the Division Bench of this Court. The petitioner, if aggrieved by the time granted for vacating the premises, ought to have filed an appropriate interim application in W.P.(MD) No.20382 of 2022, seeking extension of time. Having failed to do so, the petitioner cannot maintain the present writ petition seeking extension of the time already granted by the Division Bench. Hence, the learned counsel appearing for the respondent would pray for dismissal of the



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6. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials placed on record.

7. It is not in dispute that the Division Bench of this Court, while disposing of W.P.(MD) No.20382 of 2022, had already granted one month's time to the petitioner to vacate the premises. If the petitioner requires further time for vacating the premises, the appropriate course would have been to file an appropriate application seeking extension of the time granted in that writ petition. The petitioner cannot seek such extension indirectly by filing a fresh writ petition before this Court. In such circumstances, this Court is not inclined to entertain the present writ petition. Accordingly, this Writ Petition is dismissed. No costs.

07.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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To

The Commissioner,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District-624 101.



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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.22667 of 2026**

DATED : 07.08.2026