



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH**

**AND**

**THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.25109 of 2018**

**and**

**W.M.P. (MD)No.22739 of 2018**

Vincent

: Petitioner

Vs.

- 1.The District Collector,  
Kanyakumari District.
- 2.The Chairman,  
Town and Country Planning Head,  
No.807, Anna Salai, Chennai.
- 3.The Commissioner,  
Nagercoil Municipality,  
Nagercoil, Kanyakumari District.
- 4.The Member Secretary,  
Nagercoil Local Planning Authority,  
Collector Campus, Nagercoil,  
Kanyakumari District.
- 5.The Town and Country Planning Officer,  
O/o. the Town and Country Planning,  
Tirunelveli Region,  
South Bypass Road, Tirunelveli.
- 6.The Assistant Engineer,  
Water Resources,  
Public Works Department Irrigation,  
Nagercoil, Kanyakumari District.

7.C.Visvakumar

: Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the respondents 1 to 6 herein to remove all the illegal constructions made by the 7<sup>th</sup> respondent in S.Nos.481/4, 480/1, 484/4 at Neendakarai 'A' Village, Agasteeshwaram Taluk, Kanyakumari District, vide petitioner's representation dated 08.11.2018.



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For Petitioner : Mr.D.Saravanan

For Respondents : Mr.K.P.Krishnadoss,  
Special Government Pleader  
for R.1 to R.6

Mr.N.S.Ramakrishnadoss  
for R.7

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**ORDER**

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner seeks further action in pursuant to the notice issued by the third respondent dated 13.11.2018.

2. On the submission made by the learned Counsel appearing for the contesting respondent submitted that civil suit is pending, the petitioner's Counsel submitted that the civil suit is for different relief, which includes various other lands.

3. In view of the aforesaid submissions, we are not inclined to pass an order on merits in this writ petition, except by directing the third respondent to pass appropriate final order, after conducting a detailed enquiry in pursuant to the notice dated 13.11.2018 and after affording opportunity to the parties concerned, including the petitioner as well as the contesting respondent, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gk

To

1.The District Collector,  
Kanyakumari District.



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+1 CC to M/s.D.SARAVANAN, Advocate ( SR-12882[F] dated 23/03/2021 )

+1 CC to M/s.SPL GP ( SR-12945[F] dated 23/03/2021 )

**W.P. (MD)No.25109 of 2018**  
**22.03.2021**

SGS(CO)  
TR(24.04.2021) 3P 9C