



W.P(MD)No.841 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.841 of 2021

S.Kumar

... Petitioner

vs.

- 1.The District Collector,
Kanyakumari @ Nagercoil,
Nagercoil – 629 001.
- 2.The Joint Director of Town Panchayat,
Collector Office,
Kanyakumari @ Nagercoil,
Nagercoil – 629 001,
Kanyakumari District.
- 3.The Executive Officer,
Keezhkulam Town Panchayat,
Keezhkulam,
Kanyakumari District.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Nagercoil.
- 5.The Takkar/Fit Person,
Arulmigu Karikottu Kandan Sastha Thirukovil,
Thozhikode,
Enayamputhenthurai Village,
Killiyoor Taluk,
Kanyakumari District.



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6.Rural Development Movement,
Rep. by its Vice President,
S.Emil Jeba Singh

7.The Tahsildar,
Killiyoor Taluk,
Kanyakumari District.

.... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus or any other writ order or direction in the nature of writ directing respondents No.1, 2 and 3, to take appropriate lawful action against the illegal and unauthorized constructions including a Marriage Hall and other buildings in Re-Survey Nos.539/6 and 539/7, Enayamputhenthurai Village, Killiyoor Taluk, Kanyakumari District, put up by the sixth respondent including demolition and lock and seal in the light of the petitioner's representation, dated 10.09.2020 within a reasonable time period to be fixed by this Hon'ble Court.

For Petitioner : Mr.N.Dilip Kumar

For R-1 to R-4 & R-7 : Mr.T.Amjad Khan,
Government Advocate

For R-6 : Mr.M.R.Sreenivasan

For R-5 : No Appearance



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ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioners have filed this writ petition seeking for issuance of a Writ of Mandamus, directing respondents No.1 to 3, to take appropriate lawful action against the illegal and unauthorized constructions in Re-Survey Nos.539/6 and 539/7, Enayamputhenthurai Village, Killiyoor Taluk, Kanyakumari District, put up by the sixth respondent by considering petitioner's representation, dated 10.09.2020, within a stipulated period.

2. The learned Government Advocate appearing for the official respondents, on instructions, would submit that in the building constructed in Re-Survey Nos.539/6 and 539/7, Enayamputhenthurai Village, Killiyoor Taluk, Kanyakumari District, an organization by name 'Rural Development Movement' is functioning for the purpose of conducting training programmes to the women such as handcraft training etc., and several welfare schemes announced by the Government for the poor people are also executed in the aforesaid Rural Development Movement and a community hall is also functioning there, after getting necessary permission from the authorities.



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3. In view of the above, if there is any unauthorized construction, it is for the third respondent to take necessary action for removal of such unauthorized construction, by following the procedure contemplated under law, after providing opportunity to all the parties concerned.

4. With the above observation, this writ petition stands disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]
20.03.2024

NCC : Yes / No
Index : Yes / No
PM

To

- 1.The District Collector,
Kanyakumari @ Nagercoil, Nagercoil – 629 001.
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Nagercoil – 629 001, Kanyakumari District.
- 3.The Executive Officer,
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Kanyakumari District.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments, Nagercoil.
- 7.The Tahsildar,
Killiyoor Taluk, Kanyakumari District.



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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

PM

ORDER MADE IN
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