



W.P(MD)No.3274 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.3274 of 2025

Glory

... Petitioner

Vs

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The Deputy Director of Town
and Country Planning,
Kanyakumari District at Nagercoil.

3. The Block Development Officer,
Melpuram Panchayat Union,
Melpuram Post,
Kanyakumari District,
Nagercoil.

1/7



W.P(MD)No.3274 of 2025

WEB COPY

4. The President / Executive Officer,
Maruthancode Village Panchayat,
Maruthancode Post,
Kanyakumari District.

5. The Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO),
Maruthancode,
Kanyakumari District.

6. Sulochana

7. Innocent

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 5 to remove the illegal and unauthorised construction of two storeyed building without making any Plan Approval permission in Survey No. 101/3 of Maruthancode Village, Vilavancode Taluk, Kanyakumari District within a stipulated period that may be fixed by this Court.



WEB COPY



W.P(MD)No.3274 of 2025

For Petitioner : Mr.S.Sivakumar,
For Respondent : Mr.J.Ashok (R1 to R4)
Additional Government Pleader
: Mr.S.Deenadhayalan (R5)
: Mr.V.MMeenakshisundaram
and
Mr.S.Vashik Ali (R6 & R7)

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The Writ of Mandamus has been instituted to direct the respondents 1 to 5 to remove the illegal and unauthorised construction of two storeyed building without making any plan permission in Survey No. 101/3 at Maruthancode Village, Vilavancode Taluk, Kanyakumari District.

2.The learned Additional Government Pleader on written instructions would submit that already notice was issued to the respondents 6 and 7. Since the respondents 6 and 7 have not produced any building plan approval, the authorities conducted verification and



W.P(MD)No.3274 of 2025

found that the subject building is wholly unauthorised. Therefore, the authorities have decided to initiate enforcement action to ensure that the unauthorised constructions are demolished.

3.The learned Counsel for the respondents 6 and 7 would submit that they have not received any instruction from the official respondents.

4.Regarding receipt of show cause notice from the competent authorities as stated by the learned Additional Government Pleader, may that as it be, if at all the respondents 6 and 7 are in possession of building plan approval issued by the competent authority, they are at liberty to show the originals before the competent authority enabling them to verify the genuinity of the approval granted and thereafter, if the authorities arrive at a conclusion that the building is wholly unauthorised, then enforcement action must be continued.

5.The respondents 6 and 7 are at liberty to submit the building plan permission to the authorities **within a period of one week from today**. Thereafter, the authorities may continue the enforcement action and



W.P(MD)No.3274 of 2025

WEB COPY

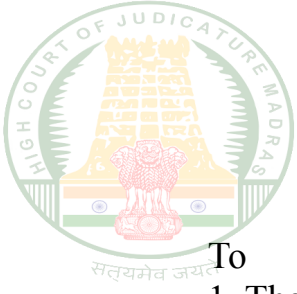
conclude the same, within a period of twelve weeks from the date of receipt of a copy of this order, by following the procedures as contemplated under the Act and Rules.

6. With the above said directions, this writ petition stands disposed of. There shall be no order as to costs.

[S.M.S., J.] [A.D.M.C., J.]
10.06.2025

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

LR



W.P(MD)No.3274 of 2025

To

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The Deputy Director of Town
and Country Planning,
Kanyakumari District at Nagercoil.

3. The Block Development Officer,
Melpuram Panchayat Union,
Melpuram Post,
Kanyakumari District,
Nagercoil.

4. The President / Executive Officer,
Maruthancode Village Panchayat,
Maruthancode Post,
Kanyakumari District.



WEB COPY



W.P(MD)No.3274 of 2025

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

W.P(MD)No.3274 of 2025

10.06.2025