



W.P(MD)No.15587 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15587 of 2025

P.Naina Hameema

... Petitioner

Vs

1. The Revenue Divisional Officer,
Nagercoil.

2. Vaikundamani

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to take appropriate action under Section 152 of BNSS, 2023 to prune the branches of the tree causing nuisance in the petitioner's property in Survey No. 295/17, of South Thamaraikulam Village, Agasteeswaram Taluk, Kanniyakumari District, in pursuance of the interim order passed by the first respondent in No.A2/4225/2024 dated 24.09.2024, considering the petitioner's representation dated 18.10.2022 and subsequent representations dated 16.10.2024 and 13.05.2025 within the time stipulated by this Court.

For Petitioner : Mr.A.Arul Ramnath

For R-1 : Mr.R.Ragavendran
Government Advocate

For R-2 : Mr.S.A.Selvin Abeesh



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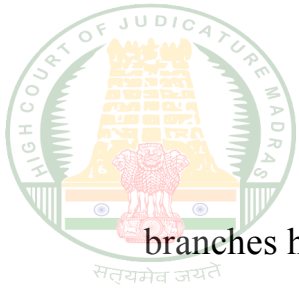
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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the first respondent to take appropriate action under Section 152 of BNSS, 2023 to prune the branches of the tree causing nuisance in the petitioner's property in Survey No. 295/17, of South Thamaraikulam Village, Agasteeswaram Taluk, Kanniyakumari District, in pursuance of the interim order passed by the first respondent in No.A2/4225/2024 dated 24.09.2024, by considering the petitioner's representation dated 18.10.2022 and subsequent representations dated 16.10.2024 and 13.05.2025.

2. It is seen that the first respondent has passed an order dated 24.09.2024 by considering the petitioner's representation dated 18.10.2022, whereby it was ordered to fell the tree.

3. The learned Counsel appearing for the second respondent submitted that the first respondent is not having any power to entertain the petition under Section 152 of BNSS, 2023. However, the second respondent has not approached this Court challenging the said order. He further submitted that since new branches have grown on the tree, he requires some more time to prune the branches of the tree hanging on the side of the petitioner. And he would carry out pruning of



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branches himself.

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4. In view of the above submissions, this Court is granting time to the second respondent until 10.10.2025 to prune the branches of the tree. In case the second respondent failed to do so within the stipulated time, the petitioner is at liberty to prune the branches of the tree on his own.

5. With the above said directions, this Writ Petition is disposed of. There shall be no order as to costs.

09.07.2025

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

jbr

To:

The Revenue Divisional Officer,
Nagercoil.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.15587 of 2025

DATED : 09.07.2025