



W.P.(MD) No.15607 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P.(MD) No.15607 of 2025
and
W.M.P.(MD) Nos.11821 & 11822 of 2025**

B.Brijesh Kishore

... Petitioner

-vs-

- 1.The State of Tamilnadu
rep.by its Principal Secretary
to Government
Municipal Administration
and Water Supply (MA.1)
Department
Chennai
- 2.The Director
Directorate of Town and
Country Planning
Government of Tamilnadu
Koyambedu, Chennai-600 107
- 3.The Deputy Director
Town and Country Planning
Department
No.108, Thiruvananthapuram Road
Tirunelveli District
- 4.The District Collector /



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Chairperson of
Monitoring Committee
Kanyakumari District @
Nagercoil

5.The Assistant Director
District Town and Country
Planning Office
Collector Office Campus
Kanyakumari District @
Nagercoil

6.The Assistant Director of Town
Panchayats
Kanyakumari District @
Nagercoil

7.The Superintendent of Police
Kanyakumari District @
Nagercoil

8.The Tahsildar
Thiruvattar Taluk
Kanyakumari District

9.The Executive Officer
Kulasekharam Selection
Grade Town Panchayat
Kanyakumari District

10.Junior Engineer (Urban)
TANGEDCO
Kulasekaram Distribution Circle
Kanyakumari District

11.Raja Vinu

12.Raja Kumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue



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a writ of certiorarified mandamus to call for the records pertaining to the impugned order vide Na.Ka.No.280/2024/A2 dated 15.05.2025 passed by the 9th Respondent herein as illegal and quash the same and consequently direct the Respondents 2 to 10 herein to take appropriate action and to demolish illegal and unauthorized construction put up by the 11th Respondent herein without obtaining valid Building Plan Approval in Re-Survey No.40/2A1 consisting of 2 cents and 784 sq.links of Aruvikkarai Village, Thiruvattar Taluk, Kanyakumari District.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.M.Sarangan
Addl. Govt. Pleader for R1 to R6, R8 & R9
Mr.T.Senthil Kumar
Additional Public Prosecutor for R7
No appearance for R10
Mr.C.R.Nirmal for R11
Mr.A.Robinson for R12

ORDER

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

With reference to the allegations raised in the present writ proceedings, learned Additional Government Pleader appearing for the respondents 1 to 6, 8 & 9, on instructions, submitted that inspection has already been conducted and unauthorized constructions have been identified. Thus, enforcement actions will be initiated for removal of unauthorized



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constructions by following the procedures as contemplated under law.

2. Learned counsel appearing for the eleventh respondent submitted that the eleventh respondent has not made any unauthorized construction.

3. Be that as it may, the authorities concerned have conducted inspection and identified unauthorized constructions. Therefore, the official respondents are bound to initiate enforcement action for removal of unauthorized constructions by following the procedures as contemplated under the relevant statute and rules in force, by affording an opportunity to the occupants / owners of the unauthorized constructions.

4. Accordingly, the ninth respondent is directed to initiate enforcement action for removal of the unauthorized constructions and complete the same within a period of twelve weeks from the date of receipt of a copy of this order, in accordance with law.

5. The occupants / owners of the unauthorized construction are at liberty to submit their explanation along with the documents, if any, to the ninth respondent.



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6. With the above observation, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

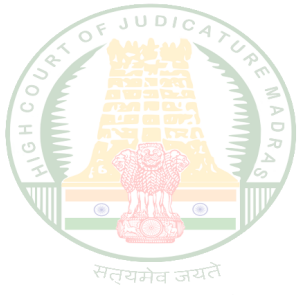
[G.A.M., J.]

11.08.2025

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

To:

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to Government,
Municipal Administration
and Water Supply (MA.1)
Department,
State of Tamilnadu,
Chennai.
- 2.The Director,
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Government of Tamilnadu,
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