



W.P(MD)No.17035 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P(MD).No.17035 of 2024
and W.M.P(MD).No.14662 of 2024

G.Vijayakumar

... Petitioner

Vs

- 1.The District Collector,
Nagercoil,
Kanyakumari District.
- 2.The Block Development Officer, (panchayat)
Melpuram Panchayat Union,
Kanyakumari District.
- 3.The President,
Vilavancode Panchayat,
Kanyakumari District.
- 4.The CSI Diocese of Kanyakumari
rep., by its Bishop,
Nagercoil, Kanyakumari District.

5.Justin Rhyles

.. Respondents

(R5 is impleaded vide Court order dated 14.11.2025 in W.M.P(MD).No.21823 of 2025 in W.P(MD).No.17035 of 2024)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the third respondent to



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implement the order made by the second respondent in Na.Ka.No.A11/2627/2024 dated 04.07.2024 and take action thereon within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff
For Respondent : Mr.D.Sasikumar (for R1 to R3)
Additional Government Pleader
Mr.K.P.Narayanakumar (for R5)
Mr.F.Deepak (for R4)

ORDER

This writ petition has been filed seeking issuance of Mandamus to direct the third respondent to implement the order made by the second respondent in Na.Ka.No.A11/2627/2024 dated 04.07.2024 and take action thereon within the time that may be stipulated by this Court.

2. It is the case of the petitioner that the fourth respondent has been constructing a Kalyana Mandapam in the petition mentioned property violating the Tamil Nadu Combined Building Rules. In this regard, the petitioner has submitted a representation to the second respondent, who, vide order dated 04.07.2024, directed the third respondent, the local body, to take immediate steps to prevent the illegality and take action thereof. Despite the same, the third respondent in collusion with fourth respondent failed to take any steps.



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Thereafter, the petitioner sent a representation on 15.07.2024 to the respondents to implement the order passed by the second respondent forthwith. However, the same has not been considered so far. Hence, the above writ petition has been filed by the petitioner.

3. When the matter came up for hearing, it is informed by the newly impleaded party/ fifth respondent that he had already made an application seeking approval for the extended area that is being constructed.

4. Be that as it may, since the allegation of the petitioner is that the construction being put up by the fifth respondent is illegal, both the petitioner as well as the fifth respondent shall appear before the first respondent and submit their respective objections. The first respondent is directed to consider the representation of the petitioner dated 15.07.2024 and pass orders thereon, after affording an opportunity of personal hearing to both parties, considering their objections and following due process of law and the relevant Rules, within a period of three months from the date of receipt of a copy of this order. It is needless to state that the no further construction shall not be proceeded with until such time.



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5. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

24.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

To

1. The District Collector,
Nagercoil,
Kanyakumari District.

2. The Block Development Officer, (panchayat)
Melpuram Panchayat Union,
Kanyakumari District.

3. The President,
Vilavancode Panchayat,
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P.T.ASHA, J.

Rmk

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