



W.P(MD)No.21582 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2025

CORAM:

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

**W.P(MD)No.21582 of 2025
and
W.M.P(MD)Nos.16682, 16683 & 16684 of 2025**

M.Jhon Manohar

... Petitioner

vs.

- 1.The District Collector,
Kanniyakumari District,
Nagercoil.
- 2.The Sub Collector,
Padmanabhapuram,
Thuckalay,
Kanniyakumari District.
- 3.The Tahsildar,
Thiruvattar, Kanniyakumari District.
- 4.The Block Development Officer,
Thiruvattar,
Kanniyakumari District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.A10/4429/2024-1 dated 20.01.2025 passed by the 4th respondent and to quash the same as illegal and consequently direct the respondents not to interfere with the petitioner's peaceful possession.

For Petitioner	: Mr.T.Wins
For RR 1 to 3	: Mr.J.Ashok Additional Government Pleader
For R – 4	: Mr.S.P.Maharajan Special Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The stop work notice issued by the Block Development Officer, Thiruvattar, in proceedings dated 20.01.2025, is under challenge in the present Writ Petition.



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2.The learned counsel appearing for the petitioner submitted that the petitioner has been in occupation of the subject land for more than three decades and a civil suit has already been instituted in O.S.No.24 of 2024 on the file of the learned Principal District Munsif Court, Padmanabhapuram. Thus, it is contended that the impugned notice is liable to be set aside.

3.The learned Special Government Pleader appearing for the fourth respondent would oppose by stating that the subject property is Government land. The concerned authorities have identified the encroachments and unauthorized constructions. Enforcement actions have been initiated to demolish the unauthorized constructions and to evict the encroachers. The stop work notice was issued by the Block Development Officer in accordance with the provisions of the Act. Therefore, the Writ Petition is liable to be rejected.

4.The learned counsel appearing for the petitioner submitted that no construction activities are being undertaken by the petitioner.



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5.If that is so, the petitioner is bound to stop all further works, if any are proposed. The petitioner is at liberty to submit his explanation, along with supporting documents, if any, to establish his case.

6.In the event of receiving any such explanation, the competent authorities shall consider the same and take a final decision with reference to the revenue records. Thereafter proceed with the enforcement actions by following the procedures as contemplated under law. It is needless to state that the procedures as contemplated under the statutes and rules are to be scrupulously followed.

7.Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
07.08.2025

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

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

ps

ORDER MADE IN
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