



W.P.(MD) No.17865 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.17865 of 2018
and W.M.P(MD).Nos.15750, 15751 and 15752 of 2018

H.Haja Mohideen

... Petitioner

-VS-

1.Nagercoil Municipality,
rep., by its Commissioner,
Nagercoil, Kanyakumari District.

2.A.Dunstan Ramesh

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.1/2018/F1 dated 01.08.2018 on the file of the first respondent and quash the same as illegal and consequently for a direction, forbearing the first respondent from demolishing the petitioner's premises in Door No.57 situated in Balamore Road, Nagercoil, Kanyakumari District.

For Petitioner : Mr.M.Mohaboob Fazil
for M/s.T.Lajapathi Roy



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For Respondents : Mr.P.Athimoolapandian
for R1
No appearance (for R2)

ORDER

This writ petition has been filed to quash the impugned order in Na.Ka.No. 1/2018/F1 dated 01.08.2018 on the file of the first respondent and consequential direction forbearing the first respondent from demolishing the petitioner's premises in Door No.57 situated in Balamore Road, Nagercoil, Kanyakumari District.

2. It is seen that the impugned order has been challenged only by the tenant and not by the landlord. The petitioner is not a person aggrieved. It is also brought to the notice of this Court that the petitioner has been in possession of the property in question for the last 35 years and despite the property being in a dilapidated condition, he is refusing to vacate it.

3. The learned counsel for the first respondent would submit that the property is unfit for occupation and must necessarily be demolished.



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4. In view of the fact that the owner of the property has not challenged the impugned order and that, it is only the tenant, who has chosen to do so, this Writ Petition is dismissed as the petitioner lacks the necessary *locus standi* to assail the said order. No costs. Consequently, connected Miscellaneous Petitions are closed.

04.09.2025

NCC : Yes/No
Index : Yes/No
Rmk



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P.T.ASHA, J.

Rmk

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