



W.P.(MD) No.23167 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.23167 of 2025
and
W.M.P.(MD) No.18209 of 2025**

Darwin Xavier Raj

... Petitioner

/vs./

1.The District Collector,
Kanyakumari District at
Nagercoil.

2.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
318/46A, Water Tank Road,
Nagercoil 629 001.

3.The Block Development Officer,
Thiruvattar Panchayat Union,
Thiruvattar,
Kanyakumari District.

4.Panchayat President,
Ayacode Village,
Vendalicode Post,
Thiruvattar Taluk,
Kanyakumari District 629 161.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 11.08.2025 in Na.Ka.No.A10/968/2025 of the 3rd respondent and quash the same as illegal and to direct the 3rd respondent not to lock and seal the petitioner's Factory situated in Ayacode Village, Thiruvattar Taluk, Kanyakumari District.

For Petitioner : Ms.R.Brindha

For R1 : Mr.D.Ghandiraj
Special Government Pleader

For R2 : Mr.Madhuri Donti Reddy
standing counsel

For R3 : Mr.C.Satheesh
Government Advocate

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the first respondent, Mr.Madhuri Donti Reddy, learned standing counsel takes notice for the second respondent and Mr.C.Satheesh, learned Government Advocate takes notice for the third respondent.



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2.The writ petition has been filed challenging the impugned proceedings dated 11.08.2025 bearing Ref.Na.Ka.No.A10/968/2025 of the third respondent and to direct the third respondent not to lock and seal the petitioner's factory situated in Ayacode Village, Thiruvattar Taluk, Kanyakumari District.

3.The impugned order has been passed by the third respondent, whereby, the petitioner has been called upon to close on the Hollow Brick Manufacturing Unit of the petitioner, called Jebin Hollow Blocks at Ayacode Village, Thiruvattar Taluk, Kanyakumari District under the provisions of the District Municipalities Act, 1920 and Tamil Nadu Public Health Act, 1939.

4.The impugned order has been passed by the third respondent pursuant to the communication received from the Office of the second respondent, dated 05.08.2025 bearing Letter No.DEE/TNPCB/NGL/F.Tech.105/WP(MD) No.3067 of 2025.

5.The communication of the second respondent is purportedly pursuant to the order passed by this Court in WP(MD) No.3067 of 2025, which came to be



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disposed of on 31.01.2025, wherein, the petitioner herein was the sixth respondent. The said writ petition was filed by one AL Ansio Ligo Fran.

6.The said writ petition was disposed of without expressing any opinion on the merits of the case, by directing the second respondent therein to dispose of the representation of the said AL Ansio Ligo Fran, dated 29.10.2024. The order is categorically stating that notice shall be issued to the petitioner herein, who was the sixth respondent in the said writ petition.

7.Since the impugned order has been passed on 11.08.2025 pursuant to the communication of the second respondent to the third respondent dated 05.08.2025 without following the directions of this Court, dated 31.01.2025 in WP(MD) No.3067 of 2025, I am inclined to quash the same and remit the case back to the third respondent to pass a fresh order on merits within a period of four weeks from the date of receipt of a copy of this order.

8.Needless to state, not only the petitioner herein but also the said AL Ansio Ligo Fran, the petitioner in WP(MD) No.3067 of 2025, shall be heard



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before passing a fresh order by the third respondent.

9.Accordingly, the Writ Petition stands allowed. No costs. Consequently,
connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
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To

- 1.The District Collector,
Kanyakumari District at
Nagercoil.
- 2.The Block Development Officer,
Thirvattar Panchayat Union,
Thiruvattar,
Kanyakumari District.



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C.SARAVANAN, J.

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