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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.527 of 2026
and
W.M.P.(MD)No.476 of 2026

William

... Petitioner

Vs

1.The Union of India,
Rep. by the Secretary to Government,
Ministry of Environment and Forests
(Department of Environment
Forest and Wild Life),
Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi-110 003.

2.The Tamil Nadu Coastal Zone,
Management Authority,
Rep by its Member Secretary,
Panagal Building, Ground Floor,
No.1, Jennis Road, Saidapet,
Chennai - 60015.

3.The District Collector,
Kanyakumari District,
Nagercoil.



4.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

5.The Revenue Divisional Officer,
Revenue Divisional Office,
Padmanabhapuram,
Kanyakumari District.

6.The Block Development Officer,
Block Development Office,
Munchirai, Kanyakumari District.

7.The President,
Thoothur Panchayat,
Poothurai Post-629 176,
Kanyakumari District.

8.The Inspector of Police,
Nithiravilai Police Station,
Nithiravilai, Kanyakumari District.

9.Andro
10.Anand
11.Saji

...Respondents

\PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 to 8 restrain the Respondents 9 to 11 from illegal and unauthorized construction of church at R.Sy.No.302/14 of Eludesam Village, Killiyoor Taluk, Thoothur, Kanyakumari District in violation of Costal Regulation and Tamil Nadu Building Rules and direct the Respondents 9 to 11 to remove the illegal and unauthorized construction within the time stipulated by this Court.



For Petitioner : Mr.M.R.Sreenivasan
For Respondents : Mr.J.Ashok (RR2, 3, 5)
Additional Government Pleader
Mr.K.Sanjay Gandhi (R4 & R8)
Government Advocate
Mr.Karthikeya Venkatachalapathi (R1)

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition is filed seeking a direction to the Respondents 1 to 8 to restrain the private respondents from putting up a construction unauthorizedly in the property in R.Sy.No.302/14 of Eludesam Village, Killiyoor Taluk, Thoothur, Kanyakumari District in violation of Coastal Regulation and Tamil Nadu Building Rules.

2.The contention of the learned counsel for the petitioner is that the private respondents have put up a construction in the subject property within 500 meters of restricted Coastal Regulation Zone without obtaining any building plan permission from the authorities and also without obtaining necessary permission from the District Collector to use the said construction as a religious place.



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3.The learned counsel for the petitioner submits that since no action has been taken by the official respondents herein even after filing of this writ petition, the construction of the building has been completed by the private respondents.

4.The learned Additional Government Pleader appearing for the official respondents, on instructions, submitted that admittedly, the private respondents have not obtained building plan permission from the Local Authorities and the permission from the District Collector to use the said construction as religious building. Hence, the authorities have issued a stop work notice to the private respondents.

5.In view of the above submissions, this Court directs that if the construction has been put up without obtaining necesasry permission from the competent planning authority or in violation of the relevant Rules in force, the authorities shall take appropriate action, including demolition of the unauthorized construction, after affording due opportunity to the private respondents. Such an exercise shall be completed within a period of three months from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition is disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
25.03.2026

Index : Yes/No
Internet : Yes
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To

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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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