



WEB COPY



WP(MD).No.1758 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2026**

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

WP(MD) No.1758 of 2026

and WMP(MD).Nos.1377, 1378 & 1379 of 2026

T.Azhakesan

.....Petitioner

Vs

The Commissioner
Kollencode Municipality
Kollencode, Kanyakumari District

....Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the respondent Municipality in Na.Ka.No. 1503/2023/E1 dated 31.12.2025, quash the same and further direct the respondent to give extension of time to the petitioner for completing his work as per the work order dated 19.08.2024 till May 2026.

For Petitioner : M/s.S.Xavier Rajini

For Respondents :M/s.R.V.Suria Kumary

ORDER

The present writ petition has been filed seeking to quash the final notice issued by the respondent municipality on 31.12.2025 wherein it has



WP(MD).No.1758 of 2026

been stated that the petitioner should complete the work within a period of 30 days or else Rs.1000/- penalty will be imposed upon him for each day.

Challenging the said order, the present writ petition has been filed.

2. According to the learned counsel for the writ petitioner, the petitioner has submitted his tender bids for putting up construction of shops. However, the old shops were demolished only in May 2025 and possession was handed over to him in May 2025. As per tender condition, the work has to be completed within a period of 12 months. Therefore, he has not got time till May 2026. He had further submitted that 12 months cannot be calculated from the date of the work order namely 19.08.2024, but only from the date on which the possession was handed over to the writ petitioner.

3. Per contra, the learned counsel for the respondent submitted that only in a portion of the property, a small building was located and that too was demolished in February 2025. The petitioner has started the construction work in the balance portion immediately after receiving the work order. Therefore, the petitioner should have completed the work in August 2025 itself. However, four months extension has been granted till 31.12.2025. Beyond 31.12.2025, the extension time cannot be granted and therefore, a final notice was issued to the writ petitioner calling upon him to pay penalty at the rate of Rs.1000/- per day for delay in executing the project.



WP(MD).No.1758 of 2026

4. Heard both sides and perused the material records.

WEB COPY

5. As could be seen from the typed set of papers filed by the respondent, even as per the submissions of the respondent Municipality, in a portion of the property where the project has to be carried out, a dilapidated building was there and the same was demolished only in February 2025 and therefore, the period of one year has to be calculated from February 2025 and not from the date on which the work order has been issued.

6. The petitioner has got time till February 2026 to complete his project. However, if there is any delay beyond February 2026, the respondent official would be entitled to levy penalty as per tender conditions.

7. The learned counsel for the petitioner submits that he seeks time till 31.05.2025 for which the respondent Municipality has no objection. However, extension of time will be subject to the condition in the tender documents. Hence, if the work is completed before May 2025, no proceedings will be initiated for blacklisting the petitioner.

8. With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

20.02.2026

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
msa



WEB COPY



WP(MD).No.1758 of 2026

R.VIJAYAKUMAR, J.

msa

WP(MD) No.1758 of 2026
and WMP(MD).Nos.1377, 1378 & 1379 of 2026

20.02.2026