



W.P.(MD).No.3198 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.3198 of 2023

and

W.M.P(MD).No.2973 of 2023

M.Peer Mohamed

... Petitioner

Vs.

The Commissioner,
Kuzhithurai Municipality,
Kanyakumari District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, restraining the respondent from digging or in any way disturbing the peaceful possession of the petitioner's land comprised in Re.Sy.No.D6/35 Correlating to old Sy.No. 1587B to the extent of 1.800 cents situated at Kuzhithurai Town, Marthandam, Vilavancode Taluk, Kanyakumari District within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Mohamed Zamil

For Respondent : Mr.P.Athimoolapandian
Standing Counsel



WEB COPY



W.P.(MD).No.3198 of 2023

ORDER

The present writ petition has been filed seeking a mandamus restraining the respondent from digging or in any manner disturbing the peaceful possession of the petitioner's land in R.S. No.D6/35, correlating to the old Survey No.1587B, measuring an extent of 1.800 cents, situated in Kuzhithurai Town, Marthandam, Vilavancode Taluk, Kanyakumari District.

2. The petitioner has produced the Town Survey Register to establish that he is the owner of the property in R.S. No.D6/35. According to him, the respondent Municipality has been frequently disturbing his possession on the ground of removal of encroachment. However, the learned Standing Counsel appearing for the respondent Municipality submitted that the petitioner had encroached upon a portion of the road and, therefore, action was initiated. Challenging the same and claiming damages, the petitioner has already approached the Civil Court. It is further submitted that the respondent has no intention whatsoever to disturb the petitioner's private property.

3. Recording the above submission, this writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected



W.P.(MD).No.3198 of 2023

miscellaneous petition is closed.

WEB COPY

13.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
pal

To

The Commissioner,
Kuzhithurai Municipality,
Kanyakumari District.



WEB COPY



W.P.(MD).No.3198 of 2023

R.VIJAYAKUMAR,J.

pal

W.P(MD)No.3198 of 2023

13.02.2026