



W.P.(MD).Nos.19890 and 24732 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.19890 and 24732 of 2025

and

W.M.P(MD) Nos.15318, 15319, 19445, 19447 and 19448 of 2025

W.P(MD) No.19890 of 2025:

A.Arjunan

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
at Nagercoil.
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Water Tank Road, Nagercoil,
Kanyakumari District.
3. The Deputy Director of Public Health,
Nagercoil, Kanyakumari District.
4. The Commissioner,
Kuzhithurai Municipality,
Marthandam Post,
Kanyakumari District.
5. The Executive Officer,
Nalloor Town Panchayat,
Marthandam Post,
Kanyakumari District – 629 165.



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6. Fr.Sahayastalin,
Paris Priest cum Administrator of
St.Francis Xavier Church,
Marthandam,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned subject No.6, Resolution No.73 passed by the fifth respondent dated 26.06.2025 and quash the same and consequently directing the respondents 1 to 5 not to permit the sixth respondent to open the Private Fish Market in Re-Survey Nos.311/6, 311/7A1A1 to an extent of 36 cents situated at Nalloor Village, Nalloor Town Panchayat, Vilavancode Taluk, Kanyakumari District and to pass suitable order within the time stipulated by this Court.

For Petitioner	: Mr.M.R.Sreenivasan
For R1 and R3	: Mr.R.Baskaran Additional Advocate General Assisted by Mr.M.Gangadharan Government Advocate
For R2	: M/s.Madhuri Donti Reddy Standing Counsel
For R4	: Mr.P.Athimoolapandian Standing Counsel
For R5	: G.V.Vairam Santhosh Additional Government Pleader



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For R6 : Mr.H.Arumugam

W.P(MD) No.24732 of 2025:

T.Leelabai

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
at Nagercoil.
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Kanyakumari District.
3. The Commissioner,
Kuzhithurai Municipality,
Marthandam Post,
Kanyakumari District.
4. The President
Nalloor Town Panchayat,
Nalloor,
Kanyakumari District.
5. The Executive Officer,
Nalloor Town Panchayat,
Nalloor, Kanyakumari District
6. Fr.Sahayastalin,
Paris Priest cum Administrator of
St.Francis Xavier Church,
Marthandam,
Kanyakumari District.

7. Jose Alex

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the files of the fourth respondent pertaining to its Impugned Resolution No.73, dated 26.06.2025 and to quash the same and consequently directing the respondents 1 to 4 herein to stop the illegal construction of Fish Processing unit and Fish Market in the property in Survey Nos.311/6 & 311/7A1A1 of Nalloor Village, Vilavancode Taluk, Kanyakumari District by considering the request of the petitioner dated 05.03.2025 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For R1 and R2 : Mr.R.Baskaran
Additional Advocate General
Assisted by Mr.M.Gangadharan
Government Advocate

For R3 : Mr.P.Athimoolapandian
Standing Counsel

For R5 : G.V.Vairam Santhosh
Additional Government Pleader

For R6 : Mr.H.Arumugam

COMMON ORDER

These two writ petitions have been filed challenging the resolution passed by the respondent Town Panchayat on 26.06.2025, wherein permission has been granted for parking of vehicles carrying fish.



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2. According to the learned counsel appearing for the writ petitioners, such resolution, granting permission, by the Town Panchayat is clearly in violation of the Tamil Nadu Urban Local Bodies Act, 1998. It is further contended that the resolution passed by the panchayat, granting permission, is likely to cause public nuisance.

3. Considering the averments made in the affidavit it is clear that the writ petitions have been filed not seeking to espouse the cause of private interest of the writ petitioners, but have been filed as a Public Interest Litigation.

4. The learned counsel appearing for the writ petitioners seeks permission of this Court to withdraw the Writ Petitions with liberty to file Public Interest Litigation and they have also made an endorsement to that effect.



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5. Granting liberty to file Public Interest Litigation, these Writ Petitions stand disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

06.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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