



W.P.(MD)No.31357 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.03.2026

CORAM:

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

**W.P.(MD)No.31357 of 2025
and W.M.P(MD)Nos.24552 & 27840 of 2025,
3524 to 3532, 3231, 3914, 4248 to 4257 and 4476 of 2026,**

P.Saravanan

... Petitioner

Vs.

1. The District Collector,
Kanniyakumari District,
at Nagercoil.
2. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Tirumurthy Nagar, Nungambakkam,
Chennai 600006.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Suchindram,
Kanniyakumari District.
4. The Executive Officer,
Arulmigu Bhagavathyamman Thirukkoil,
Kanniyakumari, Kanniyakumari District.



W.P.(MD)No.31357 of 2025

5. The Commissioner,
Kanniyakumari Municipality,
Kanniyakumari,
Kanniyakumari District.

6. A.Vikram Singh

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 to 5 to remove the commercial structural shop constructing in favour of the sixth respondent in respect of the temple lands comprised in S.No.675, Kanniyakumari Village, Agastheeswaram Taluk, Kanniyakumari District on the south of the Kanniambalam Mandapam, Kanniyakumari and direct the respondents 2 to 5 to remove all type of unauthorized shops, encroachments and other permanent structure from the vacant site comprised in S.Nos.679/1 and 679/2 and 675 of Kanniyakumari Village, Agastheeswaram Taluk, Kanniyakumari District by allowing the above Writ Petition.

(Prayer is amended vide order of this Court dated 26.03.2026 in W.M.P. (MD)No.27754 of 2025)

For Petitioner : Mr.V.J.Kumaravel

For Respondents : Mr.J.Ashok,
Addl. Govt. Pleader for R1 & R2
Mr.Veerakathiravan,
Addl. Advocate General, assisted by
Mr.R.Sankar Ganesh for R3 & R4
Mr.H.Arumugam for R5
M/s.W.Pamelin for R6



W.P.(MD)No.31357 of 2025

ORDER

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

This Writ Petition has been filed seeking a direction to the respondents 2 to 5 to remove the commercial structural shop constructing in favour of the sixth respondent in respect of the temple lands comprised in S.No.675, Kanniyakumari Village, Agastheeswaram Taluk, Kanniyakumari District on the south of the Kanniambalam Mandapam, Kanniyakumari and direct the respondents 2 to 5 to remove all type of unauthorized shops, encroachments and other permanent structure from the vacant site comprised in S.Nos.679/1 and 679/2 and 675 of Kanniyakumari Village, Agasteeswaram Taluk, Kanniyakumari District by allowing the above Writ Petition.

2. The petitioner claims to be a social activist fighting against the illegalities taking place in the locality. According to him, Kanniyakumari is famous for a temple known as Bhagavathiyamman Temple. The said temple is one of the 108 Shakthi Peethas and its dedicated to goddess Devi Kanniyakumari. The temple has a history of over 3000 years and the Kanniyakumari seashore is accommodated a



W.P.(MD)No.31357 of 2025

colossal Thiruvalluvar statue and Vivekananda memorial rock at the distance of 500 meters away from the main land. An extent of two acres comprised in S.Nos.679/1, 679/2 and 675 situated in Kanniyakumari Village, Agasteeswaram Taluk, belonged to the Bhagavathyamman Temple. In S.No.675 of Kanniyakumari Village, the Kanniambalam Mandapam is situated in the northern side of the Arulmigu Bhagavathiaymman Temple, which is the main entrance of the Arulmigu Bhagavathiaymman Temple for past 3000 years. The said Mandapam has been fully encroached by the 6th respondent by constructing a commercial building. Hence, the petitioner has filed this Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that, pursuant to the order dated 10.02.2026 passed by a Division Bench of this Court in W.P.(MD) No. 26210 of 2025, the encroachment made by the 6th respondent in front of the Kanniambalam Mandapam has been removed.

4. The learned Additional Advocate General appearing for the respondents 3 and 4 would submit that the encroachment made by the 6th respondent has been totally removed.



W.P.(MD)No.31357 of 2025

5. The learned counsel appearing for the 5th respondent would also submit that the encroachment has been removed and the building put up by the 6th respondent has been demolished.

6. However, the learned counsel appearing for the petitioner would submit that only 10% of the building has been demolished. This was denied by the learned Additional Advocate General, who stated that the entire building had been demolished. It is further asserted that no commercial activities are being carried on by the 6th respondent.

7. In view of the above, as the encroachment has already been removed, this writ petition is closed. However, if any further encroachment occurs, the same shall be removed forthwith, and the entire area shall be kept free for access to tourists and pilgrims. It shall also be ensured that the traditional value of the temple is restored. Further, it shall be ensured that no commercial activities are carried on and no shops are established in the courtyard of the Kanniambalam Mandapam, and that the entire area is kept free for access to tourists and pilgrims.



W.P.(MD)No.31357 of 2025

8. With the above observations, this Writ Petition is closed.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
26.03.2026

Index :Yes/No
NCC :Yes/No

vsm



W.P.(MD)No.31357 of 2025

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W.P.(MD)No.31357 of 2025

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