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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

WP(MD) No. 31185 of 2026

CNR:{HCMD011558652026}

M.Peer Mohamed
No. 32-46/3,
Hamam Textile Building,
Kulasekaram Road,
Marthandam Post,
Kanyakumari District

..Petitioner(s)

Vs

1. The District Collector
   Kanyakumari,
   Kanyakumari District

2. The Deputy Director of Public Health
   Nagercoil,
   Kanyakumari District

3. The Commissioner
   Kuzhithurai Municipality,
   Vettuvenni,
   Marthandam Post,
   Kanyakumari District

4. The Executive Officer
   Nalloor Town Panchayat,
   Marthandam Post,
   Kanyakumari District - 629 165

..Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of MANDAMUS directing the 3rd respondent to forthwith resume regular and uninterrupted collection

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and proper disposal of the segregated biodegradable and non-biodegradable waste generated from the petitioners shop, namely, Hamam Original Flowers and Bouquet, situated at Re.Sy.No. D6/35, correlating to Old Sy.No. 1587B, Kuzhithurai Town, Marthandam, Vilavancode Taluk, Kanyakumari District, by considering the petitioners representation dated 28.09.2026 within the period that may be stipulated by this Court.

For Petitioner(s) :M/s H. Mohammed Imran
for M/s.Ajmal Associates

For Respondent(s) :Mr.T.Thirumurugan – for R1 and R2
Special Government Pleader

Mr.S.Vashik Ali – for R4
Government Advocate

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the third respondent to forthwith resume regular and uninterrupted collection and proper disposal of the segregated biodegradable and non-biodegradable waste generated from the petitioners shop, namely, Hamam Original Flowers and Bouquet, situated at Re.Sy.No. D6/35, correlating to Old Sy.No. 1587B, Kuzhithurai Town, Marthandam, Vilavancode Taluk, Kanyakumari District, by considering the petitioners representation dated 28.09.2026 within the period that may be stipulated by this Court.

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2. The learned counsel for the petitioner submitted that the land to an extent of 1.800 Cents in Re-Survey No.D6/35 correlating to old Sy.No.1587B situated at Kuzhithurai Town, Marthandam, Vilavancode Taluk, Kanyakumari District, is a petitioner's self-acquired property where he is running “Hamam Original Flowers and Bouquet” Shop. The third respondent municipality from the month of July, 2026, till date, has not taken any steps to remove the garbage generated from the petitioner’s shop, despite repeated oral request from the petitioner.

3. The learned counsel for the petitioner further submitted that it is for the third respondent corporation to take necessary steps to receive the garbage from every door number in the entire corporation for the proper upkeep of the Corporation and maintenance of hygiene in the locality for the sake of common public. However, to the difficulty of the petitioner's shop and the neighbours, the third respondent Corporation is not heeding to the request of the petitioner, resulting in dereliction of duty. In this regard, the petitioner has made a representation to the respondents dated 28-9-2026, which was received by them on 29-9-2026. Despite the visit of the District Health Officer to the petitioner's premises and a precise direction being issued to the third respondent dated 13-10-2026 in this

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regard, the third respondent has turned a Nelson's eye to the petitioner's request. Hence this Writ Petition.

4. Heard either sides and carefully perused the materials available on record.

5. Considering the limited scope of the relief sought for, notice to the 3rd respondent is dispensed with. The third respondent is directed to consider the petitioner’s representation dated 28.09.2026 and take necessary steps to remove the garbage from the petitioner’s shop, from time to time promptly by engaging Corporation workers within a period of one week from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

02-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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L.VICTORIA GOWRI, J.
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