



WEB COPY

WP No. 12615 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 12615 of 2026

and

WMP.Nos.13765, 13766 & 13768 of 2026

Selvam
S/o Settu,
Sivan Kovil Street,
Pudhupattu Village and Post,
Vanapuram Taluk,
Kallakurichi District

..Petitioner(s)

Vs

1. The District Collector
District Collectorate,
Kallakurichi Taluk and District
2. The Divisional Engineer (Construction and
Maintenance)
State Highways Department,
Office of Divisional Engineer,
Sankarapuram,
Kallakurichi Talk and District
3. The Tahsildar
Taluk office,'
Vanapuram Taluk,
Kallakurichi
4. The Block Development officer
Block Development office
Sankarapuram Town and Taluk,
Kallakurichi District



5. The Assistant Divisional Engineer
(Construction and Maintenance)
State Highways Department,
Office of Divisional Engineer,
Sankarapuram,
Kallakruichi Taluk and District
6. The Assistant Engineer
(Construction and Maintenance)
State Highways Department,
Office of Assistant Engineer
Sankarapuram Taluk,
Kallakurichi District
7. The President
Pudhupattu Village,
Vanapuram Taluk,
Kallakurichi District

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned No -Objection certificate dated 03.11.2025 bearing Reference Ka.No 1898 / 2025 / E Va A 1 issued by the 5th Respondent in favour of the 4th respondent and quash the same and consequently restrain the respondents from constructing the Passenger Shelter (Payniyar Nizhar Kudai) in the Road Poramboke land comprised in Survey No 75/8B which obstructs the petitioners right of free ingress and egress to his patta property comprised in Survey No 75/8A9 situated at Pudhupattu Village and Post, Vanapuram Taluk, Kallakruichi District.

For Petitioner(s): Mr.R.Bharath Kumar

For Respondent(s): Mr.A.Selvendran, SGP for R1 to R3 & R5, R6

Mr.V.Nanmaran, AGP for R4 & R7



ORDER

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The impugned “No Objection Certificate” dated 03.11.2025 bearing Reference Ka.No 1898 / 2025 / E Va A 1 issued by the fifth respondent in favour of the fourth respondent, is put under challenge in the present Writ Petition. Consequently, the petitioner has sought for a direction to restrain the respondents from constructing the Passenger Shelter (Payniyar Nizhar Kudai) in the Road Poramboke land comprised in Survey No.75/8B which obstructs the petitioner’s right of free ingress and egress to his patta property comprised in Survey No 75/8A9 situated at Pudhupattu Village and Post, Vanapuram Taluk, Kallakruichi District.

2. Heard the learned counsels appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself.

3. It is the case of the petitioner that the petitioner is the absolute owner of the subject property comprised in Survey No.75/8A9 situated at Pudhupattu Village, where he has constructed six shops. While so, the official respondents had proposed to construct a passenger shelter in Survey No.75/8B which is a road poramboke land and his grievance is that if the said construction is done, it will obstruct the free ingress and egress access to his property. Aggrieved over



the same, the petitioner has sent a legal notice, as well as filed a Grievance Petition dated 24.09.2025 and 03.11.2025 respectively to the first respondent, however, No Objection Certificate [NOC] was granted by the fifth respondent in favour of the fourth respondent to the said construction. In this regard, he has also filed a suit in O.S.No.218 of 2025 and the same is pending. Moreover, he has also filed a petition in W.P.No.49613 of 2025 but the same was dismissed on 22.01.2026 and challenging the same, he preferred an appeal in W.A.No.622 of 2026 which was withdrawn by the petitioner with liberty to challenge the impugned NOC dated 03.11.2025 issued by the fifth respondent and hence, the present Writ Petition.

4. The learned counsel for the petitioner submitted that if the passenger shelter was constructed, it will obstruct the free ingress and egress access to his property and moreover, there was already two other passenger shelters within 20 meters radius and 50 feet distance. He further submitted that the said Government land was actually meant for road extension and to avoid traffic congestions but deviating the same, the said construction was proposed by the respondents and hence, prayed this Court to grant the relief sought for by the petitioner in this Writ Petition.

5. Per contra, the learned Special Government Pleader appearing on behalf of the respondents submitted that the construction was proposed in the



Road Poramboke land in Survey No.75/8B and No Objection Certificate was granted by the concerned authorities for the said construction, where the petitioner has no *locus standi* to oppose the same. He further submitted that there was access to his property and the said construction of passenger shelter was completed and thus, prayed for dismissal of the Petition.

6. I have considered the rival submissions made by the respective learned counsel and also perused the materials placed on record.

7. On perusal of the records reveals that the construction was carried out only in the road poramboke land of the Government, for which NOC was obtained from the State Highways Department by the fourth respondent. It is also brought to the notice of this Court that the petitioner has access to his property and the said passenger shelter is near to the Government Hospital and the construction was also completed. Only after following the due process of law, the said construction was made that too in the Government Poramboke land where the petitioner has no *locus standi* to raise his objections. In view of the same, this Court is not inclined to grant the relief as sought for by the petitioner in this Writ Petition.



8. For the foregoing reasons, the Writ Petition stands dismissed.

Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP



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M.DHANDAPANI, J.

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