



W.P.Nos.13096, 13099, 13112, 13115, 13128 & 13129 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

**W.P.Nos.13096, 13099, 13112, 13115, 13128 & 13129 of 2026
and**

W.M.P.Nos.14349, 14351, 14363, 14366, 14384 and 14386 of 2026

Chinnapillai
W/o.Arjunan

... Petitioner
in W.P.No.13096 of 2026

Sumathi
W/o.Gopal

... Petitioner
in W.P.No.13099 of 2026

Bakiyam
W/o.Ramasamy

... Petitioner
in W.P.No.13112 of 2026

Padma
W/o.Sridharan

... Petitioner
in W.P.No.13115 of 2026

Asalammal
W/o.Venugopal

... Petitioner
in W.P.No.13128 of 2026

Venkatachalam
S/o. Ramagounder

... Petitioner
in W.P.No.13129 of 2026

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W.P.Nos.13096, 13099, 13112, 13115, 13128 & 13129 of 2026

vs.

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1. The District Collector
Salem District
Salem – 636 001.
2. The Divisional Engineer
Highways Department (C&M)
Salem.
3. The Assistant Divisional Engineer
Highways Department (C&M)
Sankari
Salem District.

... Respondents

Writ Petition No.13096 of 2026 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Ku.No.Case/2026/U dated 18.03.2026 and quash the same and consequently, issue direction directing the respondents to consider the petitioner's representation dated 24.03.2026 in accordance with law.

Writ Petition No.13099 of 2026 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Ku.No.498/2026/U dated 20.03.2026 and quash the same and consequently, issue direction directing the respondents to consider the petitioner's representation dated 24.03.2026 in accordance with law.



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Writ Petition No.13112 of 2026 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Ku.No.498/2026/U dated 20.03.2026 and quash the same and consequently, issue direction directing the respondents to consider the petitioner's representation dated 24.03.2026 in accordance with law.

Writ Petition No.13115 of 2026 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Ku.No.498/2026/U dated 20.03.2026 and quash the same and consequently, issue direction directing the respondents to consider the petitioner's representation dated 24.03.2026 in accordance with law.

Writ Petition No.13128 of 2026 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Ku.No.498/2026/U dated 20.03.2026 and quash the same and consequently, issue direction directing the respondents to consider the petitioner's representation dated 24.03.2026 in accordance with law.

Writ Petition No.13129 of 2026 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Ku.No.498/2026/U dated 20.03.2026 and quash the same and consequently, issue direction directing the respondents to consider the



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petitioner's representation dated 24.03.2026 in accordance with law.

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For Petitioner in all WPs : Mr.R.Marudhachalamurthy

For Respondents in all WPs : Mr.T.Arun Kumar
Additional Government Pleader

COMMON ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The writ petitions have been instituted challenging the final orders passed by the Assistant Divisional Engineer, Highways, Sankari, vide proceedings dated 18.03.2026 and 20.03.2026 respectively. The enforcement actions have been initiated for removal of encroachment on the highways road pursuant to the order of the High Court dated 26.06.2025 in W.P.No.22905 of 2025.

2. It is brought to the notice of this Court that part of the buildings were demolished in the year 2024 itself. The subject buildings are situated on the State Highways road, not only causing obstruction but also posing danger to the road users as well as to the encroachers.



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3. The learned counsel for the petitioners would submit that the petitioners have already submitted applications to the District Collector for providing alternate accommodation. Submitting the applications before the District Collector seeking alternate accommodation is not a bar for the Highways authorities to remove the encroachments on the highways road under the provisions of the Tamil Nadu Highways Act, 2001. If at all any such applications have been filed by the petitioners, the same shall be considered under the Government Welfare Scheme, if any, in force, considering the fact that the applicants are homeless poor persons and subject to other eligibility criteria stipulated under the Government scheme, which are to be scrupulously followed.

4. If encroachments on the highways cause obstruction to road traffic as well as pose a danger to road users, under no circumstances can they be permitted by the authorities or by this Court. The present writ petitions are the second round of litigation. The enforcement action was partly completed in the year 2024. Thus, the present writ petitions are not maintainable, since opportunities were already afforded to the writ petitioners.

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5. This being the factum, the petitioners have not established any semblance of legal right for the purpose of considering the relief and consequently, the Writ Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

(S.M.S.,J.) (K.S.,J.)
15.04.2026

Index : Yes

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

To

1. The District Collector
Salem District
Salem – 636 001.
2. The Divisional Engineer
Highways Department (C&M)
Salem.
3. The Assistant Divisional Engineer
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Sankari
Salem District.

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**S. M. SUBRAMANIAM, J.,
and
K. SURENDER, J.,**

mk

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