



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

W.P No. 21633 of 2023

and

WMP.Nos.21007 and 21008 of 2023

R.Gopinath
S/o.Ramasamy, No.4/15, Kudi Street,
Malaiveppankuttai, Utirakidi, Senthamangalam,
Namakkal District- 637 404.

..Petitioner(s)

Vs

1. The Secretary To Government
Highways And Minor Ports Department, Fort
St. George, Chennai- 600 009.
2. The Chief Engineer
Highways Department, Chepauk,
Chennai- 600 005.
3. The District Collector
Namakkal District.
4. The Special District Revenue Officer (ep.V.M)
Chennai- Kanyakumari Industrial Coridor
Project, (CKLCP), Plot No.74, Vijaya
Ragavan Nagar, Jagir Ammapalayam,
Salem District- 636 302.
5. The Divisional Engineer, Highways Department
Chennai - Kanyakumari Industrial Coridor
Project, (CKLCP),
Salem District.
6. The Assistant Engineer,
Highways Department,
Chennai- Kanyakumari Industrial Coridor
Project, (CKLCP),



Salem District- 636 302.

7. The Special Tahsildar
Chennai- Kanyakumari Industrial Corridor
Project, (CKLCP),
Salem District- 636 302.

..Respondents

Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus directing the respondents to remove the wall constructed in front of the Petitioner patta land over the underground bridge and also direct to give way to ingress and egress to the petitioner patta land situated at Survey No.20/3D3B, Namakkal District, Kalappa Naickenpatty to the extent of acre 0.10 cent bearing Patta No.1427.

For Petitioner: Mr. E.Manikandan
for Mr.R.Ravichandran

For Respondents: Mr.C.Gowthamaraj
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to remove the wall constructed in front of the Petitioner's patta land over the underground bridge and also direct to give way to ingress and egress to the petitioner's patta land situated at Survey No.20/3D3B, Namakkal District, Kalappa Naickenpatty to the extent of acre 0.10 cent bearing Patta No.1427.



2. The learned counsel appearing for the petitioner would submit that the petitioner purchased his land on 17.04.2008 and subsequently obtained patta on 2011 and thereafter, the respondent acquired the petitioner's land of 40 sq.mtr on 10.02.2021 and the remaining 9 cents of land was left with the petitioner. The petitioner submitted a representation dated 06.08.2022 to the respondents not to construct any wall in front of his land for the reason that it will affect the petitioner's ingress and egress of the petitioner's land, despite the same, the respondents constructed the wall in front of his land in the year 2022. Hence, this petition.

3. The learned Government Advocate appearing for the respondents would submit that the 4th respondent has acquired an extent of 41 Sq.meters of the land, for which an Award has been passed on 10.02.2021 and the compensation has also been disbursed to the petitioner. Further, he would submit that a parapet wall has been constructed in front of the petitioner's land for approximately at the midpoint of 52 feet road frontage and 23 feet width of land is available diagonally on one side of the culvert for entry and exit of heavy vehicles freely from the petitioner's land. That apart, there is an average width of 18 feet land belonging to the Highways Department between the Petitioner's land and the parapet wall which can be used for accessing the petitioner's patta land and the petitioner can easily access from the road on either side of parapet wall to his vacant land without hindrance. He has also



produced the sketch to that effect.

3.1. Further he would submit that parapet wall is essential for culverts located in areas with significant water flow or near water bodies and removal of the same would result in increased risk of road accident. He therefore prays for dismissal of this writ petition.

4. Heard both sides. Perused the records.

5. In the case on hand, it is the case of the petitioner that the respondents have constructed the wall, in front of the petitioner's land which is affecting the ingress and egress of the petitioner's land and the petitioner could not enter his land freely. But it is contended by the learned Government Advocate appearing for the respondents that a parapet wall has been constructed in front of the petitioner's land for approximately at the midpoint of 52 feet road frontage and 23 feet width of land is available diagonally on one side of the culvert for entry and exit of heavy vehicles freely from the petitioner's land and the parapet wall is essential for culverts located in areas with significant water flow or near water bodies.



6. A perusal of the sketch produced by the learned Government Advocate makes it clear that the ingress and egress of the petitioner's land is not affected and the petitioner can easily access from the road on either side of parapet wall to his vacant land without hindrance. That apart, the parapet is essential for culverts located in areas with significant water flow or near water bodies and removal of the same may result in increased risk of road accident.

7. In view of the same, this Court do not find any merit in this Writ Petition and the same is liable to be dismissed and accordingly dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

30-03-2026

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

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Chennai- 600 009.
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KRISHNAN RAMASAMY, J.

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