

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29-07-2026

CORAM

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THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

WP(MD) Nos.21554 to 21561 of 2026

and

W.M.P(MD) Nos.16027, 16031, 16036, 16033, 16030, 16029, 16041 &16028
of 2026

S.Pichaimuthu

...Petitioner in W.P.
(MD)No.21554 of 2026

P.Krishnakumar

....Petitioner in W.P.
(MD)No.21555/2026

Mariyammal

....Petitioner in W.P.
(MD)No.21556 of 2026

Seat Mohamed

....Petitioner in W.P.
(MD)No.21557 of 2026

Lakshmi

....Petitioner in W.P.
(MD)No.21558 of 2026

Sanjiagandhi

....Petitioner in W.P.
(MD)No.21559 of 2026

K.Suresh Kannan

....Petitioner in W.P.
(MD)No.21558 of 2026

Vs

1. The Divisional Engineer (Highways)
Construction and Maintenance Office,
Pudukkottai,
Pudukkottai District.



2. The Assistant Divisional Engineer, (Highways),
Construction and Maintenance Office,
Pudukkottai East, Pudukkottai District.

..Respondents in all
petitions

PRAYER IN WP(MD) No. 21554 of 2026:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the 2nd respondent in Arivippu Kurippaanai No.242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the nursery garden near jail corner near Shesaiya Road, Pudukkottai District by considering the petitioner's representation dated 30.07.2026.

PRAYER IN WP(MD) No.21556 of 2026:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the 2nd respondent in Arivippu Kurippaanai No.242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the bed sheet and pillow shop near to the jail road, Shesaiya Road, Pudukkottai by considering the petitioner's representation dated 30.07.2026.

PRAYER IN WP(MD) No. 21557 of 2026:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the



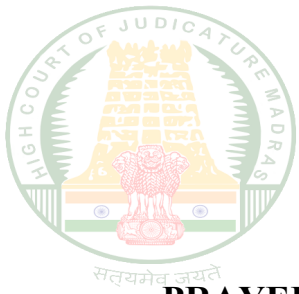
records pertaining to the impugned proceedings issued by the 2nd respondent in Arivippu Kurippaanai No. 242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the mosambi juice pushcart Shop near Jail corner near Shesaiya Road, Pudukkottai District by considering the petitioner's representation dated 30.07.2026.

PRAYER IN WP(MD) No. 21555 of 2026:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the 2nd respondent in Arivippu Kurippaanai No. 242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the Fruit Shop in pushcart Jail corner near Shesaiya Road, Pudukkottai District by considering the petitioner's representation dated 30.07.2026.

PRAYER IN WP(MD) No. 21558 of 2026:

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the 2nd respondent in Arivippu Kurippaanai No. 242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the Clay pot shop near to the Jail road, Opposite to Indian Petrol Bunk, Shesaiya Road, Pudukkottai by considering the petitioner's representation dated 30.07.2026.

**PRAYER IN WP(MD) No. 21559 of 2026**

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the 2nd respondent in Arivippu Kurippaanai No. 242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the Fast Food Shop near Jail corner near Shesaiya Road, Pudukkottai District by considering the petitioner's representation dated 30.07.2026.

PRAYER IN WP(MD) No. 21560 of 2026

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the 2nd respondent in Arivippu Kurippaanai No. 242/2026/Eva.A/ dated 29.06.2026 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the Fast Food Shop in Near PLA Corner, Near Collector Officer, Pudukkottai District by considering the petitioner's representation dated 03.07.2026.

PRAYER IN WP(MD) No. 21561 of 2026

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the 2nd respondent in Arivippu Kurippaanai No. 242/2026/Eva.A/ dated 29.06.2026 and quash the



same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the 2nd respondent to permit the petitioner for selling the Fast food Shop near Shesaiya Road, Pudukkottai District by considering the petitioner's representation dated 30.07.2026.

In all petitions:

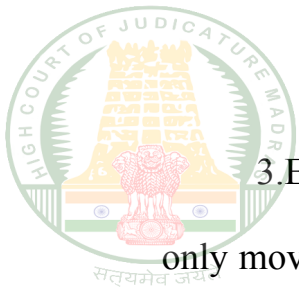
For Petitioner(s):	Mr.G.Mathavan
For Respondent(s):	Mr.S.I.Muthiah Counsel for State

COMMON ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The writ petitions have been filed claiming that notices issued under Section 28(2)2 of the Tamil Nadu Highways Act, 2001 should be quashed by this Court by way of issuing certiorari.

2.It is contended that the provision of law stipulates that if any representation is given, the same should be considered. The notice is dated 29.06.2026. The representations of the petitioners are dated 30.07.2026. Today, the date is 29.07.2026. We are not able to understand as to how the petitioners could have made representations tomorrow (30.07.2026) and filed the writ petitions on 23.07.2026 about 7 days before the issuance of the representations and claim that the representation should be examined.



3. Even otherwise, it is claimed in the affidavit that the petitioners have only movables stacked up abutting the highways. Section 28 of the Tamil Nadu

Highways Act, provides authority to the respondents to remove any obstruction.

We also hold that the said representations dated 30.07.2026 should be considered as representations submitted afresh and direct consideration of the same within 3 working days, namely by 31.07.2026, 01.08.2026 and 02.08.2026. Orders should be passed on that representations on 03.08.2026. The respondents are permitted to proceed further in accordance with law on and from 04.08.2026.

4. Observing as above, all the writ petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

(C.V.K.,J.) (R.S.V.,J.)
29-07-2026

Index: Yes
Speaking
Neutral Citation: Yes

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Note: Issue order copy on 30.07.2026



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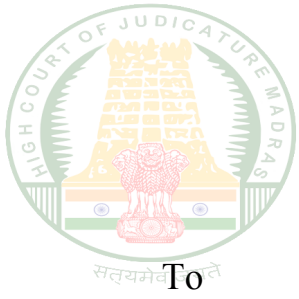


**C.V.KARTHIKEYAN J.
AND
R.SAKTHIVEL J.**

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WP(MD) Nos.21554 to 21561 of 2026

29-07-2026



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1. The Divisional Engineer (Highways)
Construction and Maintenance Office,
Pudukkottai,
Pudukkottai District.
2. The Assistant Divisional Engineer, (Highways),
Construction and Maintenance Office,
Pudukkottai East,
Pudukkottai District.