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W.P.(MD)NO.8390 OF 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED: 04.04.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.8390 of 2024 AND**  
**W.M.P.(MD)No.7610 of 2024**

M.Punniyamoorthy

... Petitioner

Vs.

1. The District Collector,  
Ramanathapuram District,  
Ramanathapuram.
2. The Block Development Officer(Village Panchayat),  
Paramakudi Panchayat Union,  
Ramanathapuram District.
3. The President,  
Paramakudi Panchayat,  
Ramanathapuram District.

... Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 2 and 3 from constructing bus stop shelter in front of the petitioner's house site situated in No.381/43B(old S.No.381/5B of Bampuvilunthan Village, Kattuparamakudi Group, Paramakudi Taluk, Ramanathapuram District and thereby direct them to construct the bus stop shelter in a suitable/safe place so as to avoid traffic congestion and avoid accidents based on his representation dated 18.03.2024 within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.G.Thalaimutharasu  
For R-1 : Mr.T.Villavankothai,  
Additional Government Pleader.  
For R-2 & R-3 : Mr.R.Ragavendran,  
Government Advocate.

\* \* \*

### **ORDER**

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned Government Advocate appearing for the respondents.

2. The petitioner is a practising lawyer. He owns two plots in Ram Nagar, Mudhukulathur Road. He is aggrieved by the construction of a new bus shelter right in front of his plots. The petitioner's allegation is that as a result of construction, his frontage will be completely blocked.

3. The learned counsel also pointed out that the existing bus shelter is at a distance of 100 meters away and it is being needlessly demolished and shifted. This grievance of the petitioner may be justifiable. But the writ Court cannot dictate to the respondents as to



where the bus shelter should be located. I make it clear that the petitioner's access and frontage must be duly taken care of.

4. The case was adjourned to enable the learned Additional Government Pleader to obtain instructions. Today when the matter was taken up for hearing, the plan was produced and it is seen therefrom that the bus shelter will be 21 feet north-south and 10.6 feet east-west. It is seen that plot No.10 belongs to the petitioner. It is assured by the respondents that the petitioner will have unhindered frontage to the extent of 19½ feet north-south. Thus, his access rights are fully assured. This submission made by the respondents will bind them for all times to come. In other words, the frontage access to the extent mentioned above will not be reduced. The plan now produced before me will form part of this order. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**04.04.2024**

Index : Yes / No  
Internet : Yes/ No  
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**G.R.SWAMINATHAN,J.**

PMU

**To:**

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Ramanathapuram District,  
Ramanathapuram.
2. The Block Development Officer(Village Panchayat),  
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