



W.P(MD)No.9890 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9890 of 2024

1.G.Thiruvengadam

2.G.Venkatesan

3.G.Saraswathi

*(The petitioners are represented by their Power Agent,
S.M.Thaaajudeen Ahamed).*

... Petitioners

Vs.

1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

2.The General Manager (Tech) and Project Director,
NHAI - Project Implementation Unit - Thanjavur,
No.54, First Floor, Natarajapuram North Colony,
Medical College Road, Thanjavur – 613 004.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the proceedings of the 2nd respondent in No. NHAI/PIU/Thanj/11015/08/2007/854 dated 04.04.2024 and quash the same and consequently directing the 2nd respondent to remove the defunct / unused bus shelter situate in front of the petitioners land in Survey No.51/1B1B6, Agrama Village, Thiruverumbur Taluka, Tiruchirappalli.



W.P(MD)No.9890 of 2024

For Petitioners : Mr.Prem Ayyathurai,
For M/s.Ajmal Associates.

For Respondents : Mr.K.R.Kishor Ram,
For M/s.R.B.Law Associates for R1.
Mr.Su.Srinivasan,
Standing Counsel for R2.

ORDER

Heard the learned counsel on either side.

2.The petitioners want the bus shelter located in front of their land to be removed.

3.The learned counsel for the petitioners reiterated all the contentions set out in the affidavit filed in support of the writ petition and submitted that the bus shelter was constructed long back and that it is no longer used by the general public and that miscreants are using it for anti-social purposes.

4.The second respondent has filed counter affidavit and the assertions of the petitioners have been strongly denied. In Paragraph No.3 of the counter affidavit, it has been stated that the bus shelter is very much in use and that city buses are regularly stopping there and the local public are also using the bus



W.P(MD)No.9890 of 2024

shelter regularly. It is further stated that the bus shelter is being maintained well with seating facilities for local commuters and that it is in useful condition.

He pressed for dismissal of the writ petition.

5.I carefully considered the rival contentions. It is not as if the petitioners' land has been encroached upon. The bus shelter is located on a highway. The petitioners have no *locus standi* to demand its removal. The writ petition is dismissed. No costs.

09.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



WEB COPY



W.P(MD)No.9890 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.9890 of 2024

09.07.2024