



W.P(MD)No.28274 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.12.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.28274 of 2024

and

W.M.P(MD)No.23971 of 2024

K.V.P.Ganesan

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Divisional Engineer,
National Highways,
Madurai Division,
No.5, Race Course Road,
Chinna Chockkikulam,
Madurai – 2.

3.The Block Development Officer,
Aandipatti Panchayat Union,
Theni District.

4.The Executive Officer,
Aandipatti Panchayat Union,
Theni District.

... Respondents



W.P(MD)No.28274 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 3 to 4 from constructing the bus stop in front of the petitioner's property bearing Ayan S.No. 45/2A1C situated at Shanmugasundarapuram Village, Aandipatti Taluk, Theni District by obstructing the frontage of the petitioner's property by considering the representation of the petitioner dated 19.11.2024.

For Petitioner : Mr.K.Samidurai

For Respondents : Mr.J.Amjad Khan
Government Advocate
for R.1 to R.3

Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.4

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus forbearing the respondents 3 to 4 from constructing the bus stop in front of the petitioner's property bearing Ayan S.No. 45/2A1C situated at Shanmugasundarapuram Village, Aandipatti Taluk, Theni District by obstructing the frontage of the petitioner's property by considering the representation of the petitioner dated 19.11.2024.



W.P(MD)No.28274 of 2024

WEB COPY

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3, the learned Additional Government Pleader appearing for the fourth respondent and carefully perused the entire materials available on record.

3. The case of the petitioner is that in front of the petitioner's property in the Ayan S.No. 45/2A1C situated at Shanmugasundarapuram Village, Aandipatti Taluk, Theni District, the respondents 3 and 4 are constructing a bus stop. The petitioner made a representation dated 09.11.2024 in this regard but no action has been taken. Hence, this present writ petition came to be filed.

4. When the matter was taken up for hearing, the learned Government Advocate, on instructions, submitted that the property situate in the said survey number in which the construction of bus stop was carried on belong to the National Highways and however, the said construction is done without getting any permission from the National Highway.



W.P(MD)No.28274 of 2024

5. In view of the same, the respondents 3 and 4 are directed to consider the petitioner's representation dated 09.11.2024 and immediately stop the construction which is being put up by the respondents 3 and 4 in front of the petitioner's property.

6. This Writ Petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
Theni District.

2.The Divisional Engineer,
National Highways,
Madurai Division,
No.5, Race Course Road,
Chinna Chockkikulam,
Madurai – 2.

4/6



W.P(MD)No.28274 of 2024

3.The Block Development Officer,
Aandipatti Panchayat Union,
Theni District.

4.The Executive Officer,
Aandipatti Panchayat Union,
Theni District.



WEB COPY



W.P(MD)No.28274 of 2024

L.VICTORIA GOWRI, J.

MGA

W.P(MD)No.28274 of 2024
and
W.M.P(MD)No.23971 of 2024

12.12.2024