



W.P.No.5037 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

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THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.5037 of 2025
and WMP.No.5589 of 2025

K.Senthil

... Petitioner

vs.

1. The Block Development Officer,
Office of the Block Development Office,
Arani, Tiruvannamalai District.
2. The Divisional Engineer (Highways),
Office of the Divisional Engineer,
Cheyyar Division,
Cheyyar, Tiruvannamalai District.
3. The Assistant Divisional Engineer (Highways),
Office of the Divisional Engineer,
Arani Sub Division, Arani,
Tiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to forbear from constructing a bus shelter or any other structure on the Vellore-Arani Main Road at Sevur Village, Arani Taluk, Tiruvannamalai District, as such construction obstructs the petitioner's direct access to the highway



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from their property situated in Survey Nos.319/1A1, 319/2A1A. 319/3A. 287/8B, 319/2 and 319/3 by considering the petitioner's representation dated 06.02.2025, within the time frame as may be fixed by this Court.

For petitioner : Mr.M.Munirathinam

For R1 : Mr.T.Arunkumar
Addl.Govt.Pleader

For R2 & R3 : Mr.E.Veda Bagath Singh
Spl.Govt.Pleader

ORDER

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The present writ petition has been filed to direct the respondents to forbear from constructing a bus shelter or any other structure on the Vellore-Arani Main Road at Sevur Village, Arani Taluk, Tiruvannamalai District, as such construction obstructs the petitioner's direct access to the highway from their property situated in Survey Nos. 319/1A1, 319/2A1A. 319/3A. 287/8B, 319/2 and 319/3 by considering the petitioner's representation dated 06.02.2025.



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WEB COPY 3. It is the case of the petitioner that he purchased a property by way of Sale Deed dated 27.05.2022, registered as Doc.No.4594/2022 in the office of the Sub Registrar, Arani. Thereafter, the first respondent had instructed the construction of the bus shelter in front of the petitioner's property without obtaining the permission from the Highways Department and the District Collector, Tiruvannamalai.

4. The learned counsel appearing for the petitioner submitted that the first respondent is attempting to construct a bus shelter on the margin of the highway, directly in front of the petitioner's property. The respondents are required to obtain prior permission from the District Collector for any construction on the highways Department under Section 26 of the TamilNadu Highways Act, 2001. Therefore, the petitioner has made oral requests to the respondents, seeking details of the approval process and project authorization, but the same was not considered. Thereafter, the petitioner submitted a written representation dated 06.02.2025 requesting that no construction should be undertaken without due consideration of his property rights. However, no steps have been taken by the respondents till



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date. Hence, the petitioner has come forward with the present writ petition.

5.The leaned Additional Government Pleader appearing for the respondents submitted that the Member of the Arani Legislative Assembly has given a letter dated 05.02.2025 in regard to construction of bus shelter in the said Rettinamangalam Koot Road situated in Arni-Vellore High Ways Road in the year 2024-2025 under MLACDS (Member of Legislative Assembly Constituency Development Scheme) with the estimate cost of Rs.15,00,000/-. As of now no Administrative sanction is given by Collector/Chairman, District Rural Development Authority (DRDA), Tiruvannamalai, who is the competent authority to accord administrative sanction.

6. The learned Additional Government Pleader further submitted that no construction of bus shelter work is started as of now. The work will only be carried out after getting administrative sanction from the Collector /Chairman, DRDA, Tiruvannamalai following the Tender rules of Tamil Nadu Tender Rules Act. If the District Collector is proposing



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for construction of bus shelter, notice will be issued to the petitioner and the objections of the petitioner if any, will be considered by the District Collector in accordance with law.

7. Heard the learned counsel appearing on either side and also perused the materials available on records.

8. In view of the above submissions made by the learned Additional Government Pleader and also considering the written instructions of the first respondent dated 17.02.2025, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17.02.2025

Index : Yes/No.
Internet : Yes/No.
Neutral Citation : Yes/No
Speaking : Non-speaking Order
kkd



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J.SATHYA NARAYANA PRASAD, J.

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kkd

To

1. The Block Development Officer,
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Arani, Tiruvannamalai District.
2. The Divisional Engineer (Highways),
Office of the Divisional Engineer,
Cheyyar Division,
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