



W.P.No.5093 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5093 of 2025
and W.M.P.No.5659 of 2025

Lalitha

.. **Petitioner**

Vs.

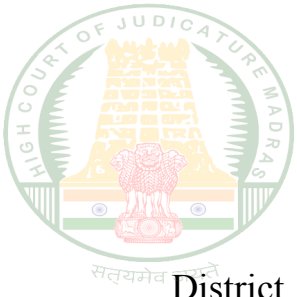
1.District Collector
Tiruvallur District
Tiruvallur.

2.Tahsildar
Tiruvallur Taluk
Tiruvallur.

3.Block Development Officer
Office of the BDO
Ellapuram Block
Tiruvallur District.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to forbear the respondents from putting up a bus shelter blocking the access of petitioner's house situated at Survey No.160/1C and 161/1A, Door No.726 of Ammanambakkam Village, Tiruvallur Taluk &



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District, by consider the petitioner's representation dated 10.02.2025 and pass such further or other orders.

For the Petitioner : Mr.K.V.Muthuvisakan

For the Respondents : Dr.S.Suriya
Additional Government Pleader
for RR1 & 2
Mr.V.P.R.Elamparithi
Additional Government Pleader
for R3

ORDER

This Writ Petition is filed for a Writ of Mandamus, to forbear the respondents from putting up a bus shelter blocking the access of the petitioner's house, situated at Survey No.160/1C and 161/1A, Door No.726 of Ammanambakkam Village, Tiruvallur Taluk and District.

2. The grievance of the petitioner is that, with a frontage of about 26 feet, the bus stop is located directly in front of her house, which also has a shop. The entire frontage is totally blocked. The construction that is proposed is a pucca construction and it will totally block the ingress and egress of the petitioner's



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access to her house. The respondents have arbitrarily located the bus shelter in front of the petitioner's house and the rights of the petitioner are affected.

3. *Per contra*, the learned Additional Government Pleader would submit that the bus stop is located only in the Highways land. There is a pavement in between the bus stop and the petitioner's property. As far as the frontage is concerned, the learned counsel would submit that the total area to be earmarked for construction of the bus stop is 8 meters x 5 meters of which 3 meters only comes in front of the petitioner's house. There will be a clear cut unblocked frontage of 2 ½ feet for the petitioner also. The bus stop has to be located somewhere in the road and every owner cannot complain about the location of the bus stop, especially when their properties are in the main road.

4. I have considered the rival submissions and perused the material records of the case.

5. It can be seen that it is not as if the petitioner's property alone is singled

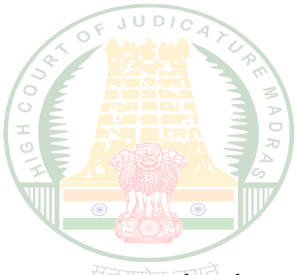


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out and the bus stop is located. Obviously there will be some blockage of vision and frontage, when the bus stop is coming up in the road. That is inevitable, so long as the bus stop is located in the highways land. The petitioner cannot rightfully say that it cannot be located in front of her house. The only thing to be considered is that the entire frontage of the petitioner is blocked or not. It is made clear by the respondent – authorities that there will be a clear cut 2 ½ feet open area in front of the petitioner's house and shop, so as to get the frontage vision. This apart, the ingress and egress is not affected, because there is a platform in between the bus stop and the petitioner's house, which is of a distance of 1.5 m.

6. The bus stop is now located and the petitioner may have a grievance; however, it must be considered that when construction is undertaken for public interest, it outweighs the petitioner's private interest. Therefore, this Court cannot interfere with this Writ Petition. Needless to state, as promised by the respondent – authorities, due care shall be taken that there is no blockage in respect of 2 ½ feet width and also there is ample space in the platform between



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the bus stop and the petitioner's house, so that the ingress and egress is not affected at all.

7. In view thereof, this Writ Petition is disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

14.02.2025

Neutral Citation : No

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To

1.The District Collector
Tiruvallur District
Tiruvallur.

2.The Tahsildar
Tiruvallur Taluk
Tiruvallur.

3.The Block Development Officer
Office of the BDO
Ellapuram Block
Tiruvallur District.

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D.BHARATHA CHAKRAVARTHY, J.

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