



W.P.No.14905 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.14905 of 2021

K.Ukkaravel

... Petitioner

-vs-

1. The Collector,
Cuddalore District,
Cuddalore.

2. The Special Tahsildar (LA),
National Highways (45-C),
Section I, Panruti,
Panruti Taluk, Cuddalore District.

3. D.Senthilmurugan
4. D.Manivannan

5. The Project Director,
National Highways (45-C),
Section I, Panruti,
Cuddalore District.

... Respondents

(R5 suo motu impleaded vide order dated 02.09.2025)

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 and 2 to demolish the encroached building situate in S.Nos.529/11 and 529/1H2 in Kadambuliur Village, Panruti Taluk, by considering the representation dated 16.03.2021 sent by the petitioner.



WEB COPY



W.P.No.14905 of 2021

For Petitioner : Mr.D.Baskar
For R1 : Mr.T.Arun Kumar
Addl. Govt. Pleader
For R2 & R5 : Mrs.S.R.Sumathy
For R3 & R4 : No Appearance

ORDER

(By.S.M.SUBRAMANIAM,J.,)

The Writ of Mandamus has been instituted to direct the respondents 1 and 2 to demolish the encroached building situate in S.Nos.529/11 and 529/1H2 in Kadambuliyur Village, Panruti Taluk, by considering the representation dated 16.03.2021 sent by the petitioner.

2. Learned counsel for the petitioner would submit that the land belonging to him was acquired by the National Highways Authority of India for a road project. A portion of the building has been demolished, leaving behind the remaining portion, which is posing threat to the passer-by and people residing in that locality. Representations were submitted to the National Highways Authority to demolish the remaining portion. Since no action has been taken, the present Writ Petition came to be instituted.



W.P.No.14905 of 2021

WEB COPY

3. Learned counsel appearing on behalf of the National Highways Authority of India would submit that the Special District Revenue Officer (LA), National Highways (45-C), who is a competent authority, Villupuram, after observing all the formalities, enquireis, notifications, passed an award in respect of Kadampuliyur Village of Panruti Taluk in Cuddalore District. An extent of 139 sq.m of Manai land comprised in S.No.529/11B and an extent of 26 sq.mt of Manai land in S.No.529/1H2 totally 165 sq.mts of lands were acquired and award was passed vide proceedings dated 31.03.2017 in respect of subject lands acquired by the National Highways Authority of India. Learned counsel would further submit that the authority has no power to demolish the said portion.

4. Learned Additional Government Pleader appearing for R1 would submit that if the building is in dilapidated condition, the Executive Authority or the Commissioner of Panchayat is empowered to initiate action under Section 128 of the Panchayat Act, 1994. Notice is to be issued to the owner of the property before actions are to be initiated to protect the life of people residing in that locality and road users.



W.P.No.14905 of 2021

5. In view of the above submission, the 1st respondent /

District Collector is directed to issue suitable instructions to the Executive

S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.

ar

Authority or the Commissioner of Panchayat to initiate action under Section 128 of the Panchayat Act and take appropriate action to protect the public interest and life of the people residing in that locality. The said exercise is directed to be completed by the 1st respondent within a period of twelve weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition stands disposed of.

No costs.

(S.M.S,J.,) (C.K,J.,)
02.12.2025

Index: Yes / No

Internet: Yes / No

ar

To:

1. The Collector,
Cuddalore District,
Cuddalore.
2. The Special Tahsildar (LA),
National Highways (45-C),
Section I, Panruti,



WEB COPY

Panruti Taluk, Cuddalore District.

3. The Project Director,
National Highways (45-C),
Section I, Panruti,
Cuddalore District.



W.P.No.14905 of 2021

W.P.No.14905 of 2021