



W.P.No.20165 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.20165 of 2025

K.C.Kumaran

Vs.

.. Petitioner

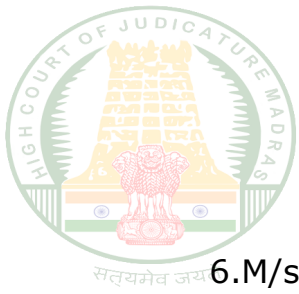
1.Rani Shanmugam,
President,
Special Grade Town Panchayat,
Polur, Thiruvannamalai District.

2.Dharanivendan MP
Member of Aarani,
Vanthavasi, Eramalur,
Pin Code - 606 604.

3.The Assistant Director,
Vellore H.O.
Pin Code - 632 001.

4.The District Collector,
Thiruvannamalai District,
Collector Office,
Pin Code - 606 604.

5.The Executive Officer,
Polur, Thiruvannamalai.



W.P.No.20165 of 2025

WEB COPY

6.M/s.Hari Krishnan Construction,
Hari Krishnan, S/o.Ramalingam,
Periyagaram TO.,
Poongollaimeadu Road, Poongollaimeadu,
Periyagaram Village and Post,
Polur - 606 803.

.. Respondents

(R6 impleaded vide order dated 11.08.2025 made in Memo dated 21.08.2025 (USR.26231/2025) in W.P.No.20165/2025)

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Prohibition directing the 5th respondent not to make any attempt to go for constructing of waiting shed at the disputed spot which is allotted for park for the usage of nearby residence of Polur and the business community. The tender has been allotted to a person by name K.T.Kameshwaren (K.T.K. Construction) the same will have to stalled in interest of public.

For Petitioner : Dr.K.Arul

For Respondents : Mr.Edwin Prabhakar
State Government Pleader
assisted by
Mr.M.Habeeb Rahman
Government Advocate
for respondent Nos.3 & 4

Mr.M.Jaisingh for Respondent No.2

No Appearance for Respondent No.1

Not ready in Notice for Respondent No.5

Service awaited for Respondent No.6



W.P.No.20165 of 2025

ORDER

(Order of the Court was made by G.Arul Murugan, J.)

WEB COPY

Heard Dr.K.Arul, learned counsel for the petitioner, Mr.Edwin Prabhakar, learned State Government Pleader assisted by Mr.M.Habeeb Rahman, learned Government Advocate for the respondent Nos.3 and 4 and Mr.M.Jaisingh, learned counsel for the respondent No.2.

2. The writ petition, styled as Public Interest Litigation (PIL), is filed seeking to prohibit the respondent No.5 from making any attempt in constructing a waiting shed in the disputed place.

3. It is the contention of the learned counsel for the petitioner that the waiting shed, which was earlier available, was misused by anti-social elements for illegal activities and thereby the public at large was disturbed and as such, the waiting shed came to be demolished. That place has been earmarked as a park and is used by the public. A waiting shed is not required in the proposed place and still, since the respondents proceeded to construct a waiting shed, the present writ petition is filed.



W.P.No.20165 of 2025

WEB COPY

4. Mr.Edwin Prabhakar, learned State Government Pleader for the respondent Nos.3 & 4 contended that, the petitioner has filed the present writ petition for personal motives without any public interest. The petitioner, since he is running a shop adjacent to the proposed waiting shed, wants to stall the public work. He further contends that the petitioner's wife, being a ward member of the respondent No.5, had in fact been a party to the resolution passed for the construction of bus shed and when the tender had been floated and work order had been issued, the petitioner, having not challenged the same had come up with the present writ petition for his personal interest.

5. Considered the rival submissions and perused the materials produced.

6. It is not in dispute that the bus shed was available in the proposed place earlier, which was used by the public that was situated near the market area. In view of the dilapidated condition, the bus shed came to be demolished and now the respondent No.5 had proposed to put up a new bus shed in the same place where the earlier bus shed was located.



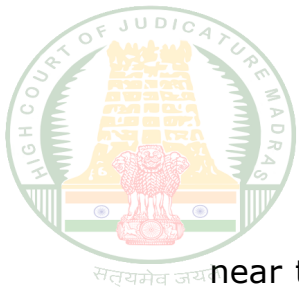
W.P.No.20165 of 2025

WEB COPY

7. The cost for construction of the bus shed near the market is borne out from Arani Constituency's 2024-2025 Parliament Member Constituency Development Plan. In respect of the construction of the proposed bus shed, the petitioner's wife had submitted objections, which had been duly considered by the respondent No.5 town panchayat and by a detailed order dated 06.03.2025, the objections came to be rejected. The petitioner's wife did not choose to challenge this order of rejection.

8. Curiously, when the subject was taken up for discussion in the Panchayat Council on 30.04.2025, the petitioner's wife, being a ward member of the Panchayat Council, had participated in the meeting and by due resolution the Council had resolved to construct the bus shed at the proposed place. The respondents have submitted a copy of the resolution passed by the Panchayat Council dated 30.04.2025.

9. Pursuant to the resolution passed by the Panchayat Council, the administrative sanction was issued for construction of the bus shed



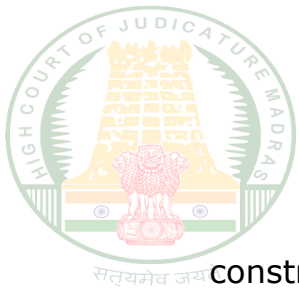
W.P.No.20165 of 2025

WEB COPY

near the market in Polur town on 13.03.2025. Tenders were called for through e-tender on 29.04.2025 and respondent No.6 being the successful bidder in the tender, work order has been issued in favour of respondent No.6 on 23.05.2025 for constructing the bus shed. While so, the petitioner had come up with the present writ petition without challenging any of the above proceedings.

10. It is also submitted that the petitioner is having a shop adjacent to the proposed bus shed. The petitioner, without disclosing the same who has personal interest, had come up with the present writ petition under the guise of public interest. Moreover, it is for the town panchayat and the respondent authorities to decide where the bus shed has to be located, taking into consideration larger interest of the public. When a large number of people are visiting the market, it is only feasible to have a bus shed adjacent to the market, which will alone be beneficial to the public and the same cannot be located far away.

11. Further, it is brought to the notice of this court that there is a 35 feet road available and there is enough place available for



W.P.No.20165 of 2025

WEB COPY

construction of a bus shed in the proposed place and by report dated 22.07.2025, the traffic authorities had also consented to the proposal, as it is not an accident-prone area. When the proposed bus shed is to be constructed, considering the larger interest of the public, the petitioner for the above reasons had come up with the present writ petition only on personal motives.

12. In view of the above deliberations, we see no element of public interest involved or any irregularity in the proposed construction of the bus shed.

13. Accordingly, the writ petition stands dismissed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
15.09.2025

Index : Yes/No
Neutral Citation : Yes/No

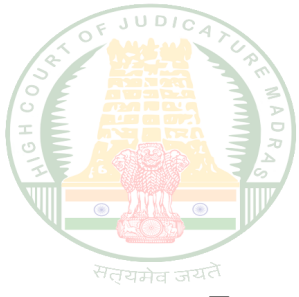
sri



WEB COPY



W.P.No.20165 of 2025



W.P.No.20165 of 2025

WEB COPY

To

- 1.The Assistant Director,
Vellore H.O.
Pin Code - 632 001.
- 2.The District Collector,
Thiruvannamalai District,
Collector Office,
Pin Code - 606 604.



WEB COPY



W.P.No.20165 of 2025

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

sri

W.P.No.20165 of 2025

15.09.2025