



W.P.No.38971 of 2024 & 2646 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.Nos.38971 of 2024; 2646 of 2025

&

W.M.P.Nos.42211, 42213 of 2024; 2958 & 2960 of 2025

W.P.No.38971 of 2024

1. S.Kandasamy
2. Jothibasu

.. Petitioners

Vs.

The State Rep. by

1. The Government of Tamil Nadu
Rep. by Secretary
Ministry of Local Administration
Fort St. George, Chennai 600 001.

2. The Directorate of Municipal Administration and
Water Supply
Municipal Administration and Water Supply Department
Ezhilagam, Chepauk
Chennai 600 005.

3. The District Collector
O/o The District Collector
Namakkal District.



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4. The Directorate of Zonal Municipal Administration
Zonal Municipal Administration Department
Salem.

5. The Commissioner
Rasipuram Municipality
Rasipuram, Namakkal.

6. Baskar .. Respondents

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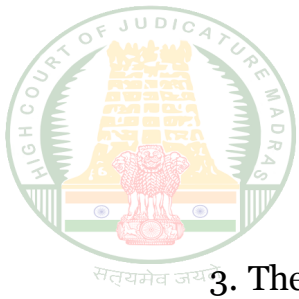
1. A.Mayakrishnan
2. P.V.Malliga
3. M.Soundhirajan
4. M.Balakrishnan
5. I.Ananthi
6. R.Manikandan
7. R.Venkatesh
8. G.Meyyappan
9. C.Rajakumaran
- 10.A.Deepa
- 11.R.Kannan

.. Petitioners

Vs.

1. The Government of Tamil Nadu
Rep. by its Secretary
Municipal Administration and Water Supply Department
Secretariat, Fort St. George, Chennai 600 001.

2. The Director of Municipal Administration
Raja Annamalai Puram
Chennai 600 028.



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3. The Rasipuram Municipality
rep. by its Commissioner
Rasipuram.

4. The Municipal Chairman
Rasipuram Municipality, Rasipuram.

5. Dr.R.Kavitha Sankar

6. R.Sekar

7. R.Baskar

8. Dr.D.Karthikeyan

9. Dr.Uma

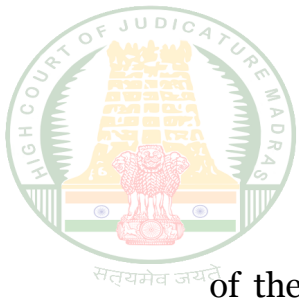
10.S.Sivarasu

11.Tamil Nadu Urban Finance and Infrastructure
Development Corporation Ltd.
490, Anna Salai, Nandanam
Chennai 35.

.. Respondents

Prayer : W.P.No.38971 of 2024 - Petition filed under Article 226 of the Constitution of India seeking a writ of Declaration to declare the resolution dated 02.07.2024 vide resolution number 580 signed by the 5th respondent which was passed by the Rasipuram Municipality is illegal and against the public welfare and consequently, direct the 1 to 5 respondents not to construct new bus stand at Anaipalayam Village which is 8.5 kilometers away from Rasipuram Town in Namakkal District based on petitioners representation dated 10.10.2024; and

W.P.No.2646 of 2025 - Petition filed under Article 226 of the Constitution of India seeking a writ of Declaration declaring the impugned decision of the respondents 1 to 3, including the Resolution of the Council



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of the 3rd respondent in Resolution No.580 dated 02.07.2024 to shift the present Rasipuram Bus Stand located within Rasipuram Municipal limits, to locate it on the lands of the 7th respondent situated outside the Rasipuram Municipal Limits in Survey Nos.41/1B, 41/1F, 115/4, 115/5, 116/1, 116/2, 116/3, 116/4, 116/5B, 117/1A and 118/5 of Anaipalayam Village, Rasipuram Taluk, Namakkal District and all other consequential decisions taken pursuant to the same, as illegal, irrational, manifestly arbitrary and against the public interest and unconstitutional, void ab initio and non-est and consequently direct the respondents Nos.1 to 4 and 11 not to shift the present Rasipuram Bus Stand to any other place without examining the socio impact and cost benefit ratio, alternative traffic management system to alleviate the traffic congestion by proper diversion of the traffic by referring the matter to an appropriate competent expert having knowledge on town planning and traffic engineering and after notifying the same to the public and after obtaining the objections from the public and to direct the 1st respondent to initiate criminal proceedings against the respondents Nos.5, 6 and 8 to 11 for taking the impugned decision to shift and locate the present Rasipuram Bus stand to the lands of the 7th respondent.

For Petitioners : Mr.N.G.R.Prasad
For Mr.R.Thirumoorthy
(W.P.No.38971 of 2024)

Mr.N.Subramaniyan
(W.P.No.2646 of 2025)



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For Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.M.Habeeb Rahman
Government Advocate
for Respondents 1 to 5
(W.P.No.38971 of 2024)

Mr.A.Edwin Prabakar
State Government Pleader
Assisted by
Mr.Habeeb Rahman
Government Advocate
for Respondents 1 & 2
(W.P.No.2646 of 2025)

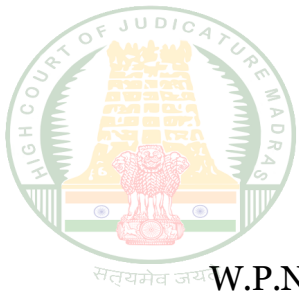
ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

W.P.No38971 of 2024 is against Rasipuram Municipality's decision to construct a new bus stand at Anaipalayam village.

2. According to petitioners, new bus stand is 8.5 km away from Rasipuram Town in Namakkal District and petitioners' representation dated 10.10.2024 is not yet considered by third respondent District Collector.

3. Learned Additional Advocate General submitted that this Court, in



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W.P.No.39839 of 2024, by order dated 06.02.2025, has directed the District Collector to consider the representation of petitioner therein and pass a reasoned order. Learned Additional Advocate General further submitted that another petitioner had filed W.P.No.1482 of 2025 which came to be dismissed on 13.02.2025, wherein, reference to this Court's order dated 06.02.2025 in W.P.No.39839 of 2024 has also been made.

4. The District Collector is directed to consider all representations together and pass a reasoned order, dealing with all submissions of the persons who have filed representations. Personal hearing shall also be given to the parties. The District Collector shall have a public notice issued, in addition to the notice being given to those who have filed representations and petitioners herein, at least five working days in advance. The District Collector shall, if any illegality is committed, spare nobody. The District Collector shall dispose of the representations uninfluenced by the observations made in the order dated 13.02.2025 in W.P.No.1482 of 2025. We clarify that we have not made any observation on the merits of the allegation made in the petition.



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5. In view of the above, Mr.Subramanian seeks leave to withdraw W.P.No.2646 of 2025, though it not listed today. Petitioners therein shall also be given notice and their representations be considered.

6. Petitions are disposed of. There shall be no order as to costs. Consequently, W.M.P.No.42211 of 2024 seeking to permit petitioners to file a single writ petition is ordered, W.M.P.No.2958 of 2025 seeking to permit petitioners to file a single writ petition is ordered subject to payment of court fee within two weeks and all the other interim applications also stand disposed.

(K.R.SHRIRAM, CJ)

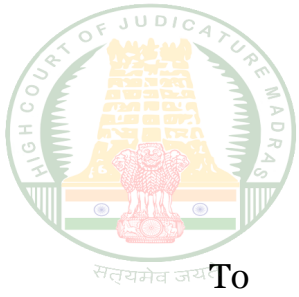
(MOHAMMED SHAFFIQ,J.)

06.03.2025

Index : Yes/No

Neutral Citation : Yes/No

kpl



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To

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Ministry of Local Administration
Fort St. George, Chennai 600 001.
2. The Directorate of Municipal Administration and
Water Supply
Municipal Administration and Water Supply Department
Ezhilagam, Chepauk
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THE HON'BLE CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

(kpl)

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