



WP No.34337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.34337 of 2025

S.Suresh Kumar : Petitioner

Vs

1.The District Collector
Salem District, Salem 636 001

2.The Executive Officer
Veerakkal Puthu Town Panchayat
Mettur, Salem District 636 404

3.Murugan Nagar Co-operative Building Society
rep. by its Secretary, Raman Nagar Mettur
Salem District 636 403 : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to remove the compound wall constructed across the public roads in S.Nos.242/15 & 243/14 of Veerakkal Puthur Village, Mettur Taluk, Salem District

For Petitioner : Mr.K.Harishankar,
for Mr.K.Surendar

For Respondents : Mr.A.Edwin Prabhakar,
State Government Pleader
for respondents 1 and 2

Mr.S.Surya, for respondent No.3



WP No.34337 of 2025

ORDER

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

Application for impleadment made by the proposed applicant is as misconceived as it could be as the writ petition relates to an issue as to whether the wall constructed by the third respondent obstructing the road and access to the residential area is proper or not. The applicant has no *locus standi*. Therefore, WMP No.43134 of 2025 is rejected.

2. This petition has been filed alleging that the members of the society had earlier surrendered their lands for the purpose of construction of a road to provide means and access to the colony. The cause of action arose when a wall came to be constructed on the road, which according to the petitioner, was surrendered for public road.

3. Learned State Counsel would support the submission of the learned counsel for the petitioner and would submit that huge public funds have been invested to construct the road, as the land was earlier surrendered for being used as a public road.



WP No.34337 of 2025

4. Learned counsel appearing for the third respondent would now submit that the society is prepared to remove the wall.

5. Since the allegation made in the petition is against the third respondent that they have constructed a wall on the road, in view of the stand which has now been taken by the third respondent before this Court, we are not inclined to proceed further in the matter.

6. In case the third respondent does not remove the wall, the State would be at liberty to proceed with the show cause notice which has already been issued. We, however, clarify that we have not expressed any opinion on merits as to whether there was any surrender of land, much less its validity. This petition is being disposed of in view of statement made by third respondent.

7. The petition is accordingly disposed of. There will be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
28.10.2025

tar



WEB COPY



WP No.34337 of 2025



WEB COPY



WP No.34337 of 2025

THE HON'BLE CHIEF JUSTICE
AND

G.ARUL MURUGAN, J.

(tar)

To

1.The District Collector
Salem District,
Salem 636 001

2.The Executive Officer
Veerakkal Puthu Town Panchayat
Mettur, Salem District 636 404

WP No.34337 of 2025

28.10.2025