



W.P.No.5622 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 19.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.5622 of 2025

JAI ANCHINEYA EDUCATIONAL AND CHARITABLE TRUST,
REPRESENTED BY ITS MANAGING TRUSTEE,
MR. KARTHIGEYAN,
S/O. V.G. SRINIVASAN,
RESIDING AT 185/90, MSM THOTTAM,
UTHANGARAI TALUK,
KRISHNAGIRI DISTRICT.

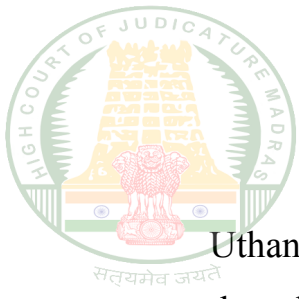
... Petitioner

Vs

1. THE UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO
GOVERNMENT OF INDIA,
NATIONAL HIGHWAYS, NEW DELHI.
2. THE DIVISIONAL ENGINEER,
NATIONAL HIGHWAYS,
KRISHNAGIRI, KRISHNAGIRI DISTRICT.
3. THE SPECIAL REVENUE DIVISIONAL OFFICER,
THE COMPETENT AUTHORITY FOR LAND ACQUISITION,
NHAI VELLORE DISTRICT,
VELLORE.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the representation dated 28.06.2023 and shift the constructing of tollgate and barriguards installing in front of SRS matriculation School, Karapattu village,



W.P.No.5622 of 2025

Uthangarai Taluk, Krishnagiri District in a manner not obstructing access to the school students and school buses.

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For Petitioner	: Mr.K.Thiruvengadam
For R1	: Mrs.S.R.Sumathy
For R2 & R3	: Mr.S.Senthil Murugan Special Government Pleader

ORDER

This writ petition is filed with a prayer directing the respondents to consider the representation dated 28.06.2023 and shift the construction of tollgate and installation of barricades in front of SRS Matriculation School, Karapattu Village, Uthangarai Taluk, Krishnagiri District.

2. The learned counsel appearing on behalf of the petitioner would submit that since the petitioner himself has given a vast extent of land by way of land acquisition, it is possible that the authorities could slightly shift the construction of the shed, which is being constructed right in front of the gate of the petitioner. This would resolve the petitioner's grievance.

3. Per contra, the learned counsel appearing on behalf of the first



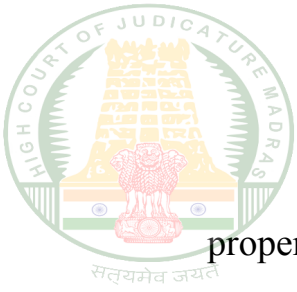
W.P.No.5622 of 2025

respondent would submit that the location of the toll Plaza has been decided after thorough research and study, and all the facilities have been located after proper application of mind. Since the land was acquired for the said purpose from the petitioner and compensation has been granted, the petitioner cannot object to the same.

4. The learned Special Government Pleader appearing on behalf of the second and third respondents, by producing a picture, would submit that the photographs provided by the petitioner do not reflect the correct position. The main gate of the School is far away from the constructions and it is the second gate, which is reserved, that is closer to the toll Plaza.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. As rightly contended by the learned counsel for the respondent authorities, once the land has been acquired and the toll Plaza is being established, the petitioner cannot have any right to demand that it should be in a particular place. However, it is true that the toll Plaza is located only after



W.P.No.5622 of 2025

proper research and consideration of locational advantages. At the same time,

it should be noted that the petitioner is running a school. Parents will be dropping off their children from either side of the road and the children will also be coming out of the gate.

7. Therefore, the petitioner's representation shall be taken up for consideration by the second respondent, who shall take up the representation in the presence of the Project Director of the National Highways and the petitioner shall also be present in the site. The primary consideration will be whether the existing arrangement is adequate for the safety of the school children. If any other provision have to be made in respect of school children's safety, the same shall be made without fail.

8. As for the second request of the petitioner to shift the shed alone for a few metres away, that is not a matter of right for the petitioner. However, the authorities may consider the feasibility of the same and if it is feasible, the same shall also be considered. The petitioner may also make suggestions in this regard. Accordingly, after the inspection, the decision made shall be intimated to the petitioner in writing.



W.P.No.5622 of 2025

WEB COPY

9. The authorities shall carry out the above said exercise within a period of twelve weeks from the date of receipt/production of the website uploaded copy of this order, without waiting for the certified copy of the order.

10. With the above directions, the writ petition is disposed of. No costs.

19.02.2025

Neutral Citation: Yes/No
nsl

To

1. THE UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO
GOVERNMENT OF INDIA,
NATIONAL HIGHWAYS, NEW DELHI.
2. THE DIVISIONAL ENGINEER,
NATIONAL HIGHWAYS,
KRISHNAGIRI, KRISHNAGIRI DISTRICT.

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W.P.No.5622 of 2025

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THE SPECIAL REVENUE DIVISIONAL OFFICER,
THE COMPETENT AUTHORITY FOR LAND ACQUISITION,
NHAI VELLORE DISTRICT,
VELLORE.

D.BHARATHA CHAKRAVARTHY, J.

nsI



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W.P.No.5622 of 2025

W.P.No.5622 of 2025

19.02.2025