



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**WMP No. 50209 of 2025
in W.P.No.34448 of 2025**

K.Boovaragan

Petitioner(s)

Vs

1. K.Poonkodi

2.The District Collector
Collector Office, Singaravelar Maligai,
Rajaji Salai Chennai 600 001.

3.The Tasildar
Tahsildar Office, Mambalam Taluk,
Chennai 600 078

4.The Zonal Ofifcer
Zonal Ofifce No.10 No.117 N.S.K
Salai, Kodambakam, Chennai 600
024.

5.Assistant Engineer
Division 137 Zone 10, Greater
Chennai Corporation, K.K Nagar,
Chennai 600 078.

Respondent(s)

PRAYER:- Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, pleaded to implead the petitioner as a proposed respondent in W.P.No.34448 of 2025.



For Petitioner(s): Mr.O.S.Thilak Pasumbadiyar
For Respondent(s): Mr.N.Naveen Kumar
Government Advocate for R2
and R3

ORDER

The claim of the petitioner is that a road has been laid over the petitioner's property situated to survey No.387/2part New Survey No.49/1, Mambalam Taluk, Kodambakkam Village, Chennai District. A settlement deed had been produced before the Court to substantiate this plea. Taking into consideration that the Government cannot lay a road over a citizen's property without resorting to acquisition proceedings. I entertained Writ Petition and granted an interim order.

2.Mr.O.S.Thilak Pasumbadiyar, has moved this application to implead a gentleman who claims to be a user of the property. He also claims that he is the adjacent owner to the property which is a subject matter of the Writ Petition.

3.For the mere fact that the petitioner had been using the property as an access which belongs to a third party does not give him a right to implead himself in a proceeding. The property of the citizen is protected under Article 300 A of the Constitution of India. This right cannot be sacrificed at the altar of self interest of the proposed party. The right of a citizen cannot be infringed by



the State except otherwise by proceeding in accordance with law. Hence, I do not find any necessity to implead a person who does not have a right over the property other than an alleged claim that he is a user. The State of Tamil Nadu is competent to defend its interest. Hence, the Writ Miscellaneous Petition stands dismissed.

19-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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V.LAKSHMINARAYANAN J.

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