



W.P.(MD) No.11962 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.11962 of 2025

M.Rajamani

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Petitioner

Vs

1 The Deputy Manager,
Indian Oil Corporation,
Pipeline Division,
Southern Region,
Indian Oil Bhavan,
Door No.139, Mahatma Gandhi Road,
Nungambakkam High Road,
Chennai – 600 034.

2 The Regional Manager,
Indian Oil Corporation,
Pipeline Division,
SIDCO Industrial Estate,
Madurai-625 005.

3 Logeshwaran,
Line Man,
Indian Oil Pipeline,
SIDCO Industrial Estate,
Madurai – 625 005.

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Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents not to interfere with the construction fencing of petitioner property in S.No.106/2 and 106/3, situated at Velliyankundram Village, Madurai East Taluk, Madurai, by considering the petitioner's representation, dated 26.03.2025.

For Petitioner : Mr.T.Antony Arulraj

For Respondents : Mr.M.Mahaboob Athiff

ORDER

The petitioner seeks for the following relief :

"Writ of mandamus, directing the respondents not to interfere with the construction fencing of petitioner property in S.No.106/2 and 106/3, situated at Velliyankundram Village, Madurai East Taluk, Madurai, by considering the petitioner's representation, dated 26.03.2025."

2. A portion of the petitioner's land in Survey Nos.106/2 and 106/3, situated at Velliyankundram Village, Madurai East Taluk, Madurai District, is covered by a pipeline laid under the provisions of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act,1962. The extent of land, for which the right of user has been acquired, is about 14



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cents. A pipeline had also been laid by respondents 1 and 2 over the property.

The petitioner states that he is a resident of K.Pudur Village in Madurai, which is far situated from the land, which is the subject matter of the writ petition. Hence, he decided to put up a fence in order to protect the property from being used by anti-social elements. To that effect, he commenced his activities, but that has been interfered with by the third respondent. Hence, this Writ Petition.

3. When the matter came up for admission, I directed Mr.Mahaboob Athiff, the learned standing counsel for Indian Oil Corporation Limited, to take notice for the respondents. The matter was adjourned to enable Mr.Athiff to get instructions.

4. When the matter was called today, Mr.Athiff stated that the respondents do not have any objection if the petitioner is going to put up a fencing to protect his property, as long as he does not violate the conditions set forth at the time of acquisition. In addition, he stated that, in all points of time, the right of inspection of the respondents should not be interfered with.

5. Mr.Antony Arulraj states that fencing is being put up in order to protect the land from being used by anti-social elements. He further states that the petitioner will not prevent the respondents from having access of supervision of the pipeline at any point of time, if they so desire.



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6. In the light of the above discussion, I dispose of the writ petition with the following directions :

(1) The petitioner shall lay fence without, in any manner, affecting the pipeline or the right of the user of the respondents 1 and 2 over the pipeline laid over his property.

(2) The petitioner shall not interfere with the right of inspection or access of the respondents over the property, for which they have acquired the right to user.

(3) Under the guise of this order, the petitioner will not be entitled to put up any constructions over the pipelines.

No costs.

29.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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V.LAKSHMINARAYANAN, J.

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