



W.P(MD)No.19134 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.19134 of 2025
and
W.M.P.(MD) Nos.14703 & 14704 of 2025**

P.Karthikeyan

... Petitioner

Vs

1. The Secretary to Government,
Union of India,
Ministry of Road Transport and Highways,
1, Parliament Street,
New Delhi - 110 001.

2. The Regional Manager,
National Highways Authority of India,
Regional Office,
No.1 Lake Area,
Melur Main Road,
Madurai - 625 107.

3. National Highways Authority,
Of India, Represented by its Highway
Administration and Project Director,
No.39, III-Cross Street,
Kalyana Sundaram Nagar,
Karumandapam, Tiruchi.

... Respondents



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WEB COPY PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 26.06.2025 passed by the 3rd respondent in NHAI/PD/TRY/NH-38/T-M/2025/1220 and quash the same as illegal.

For Petitioner : Mr.A.Devaki,

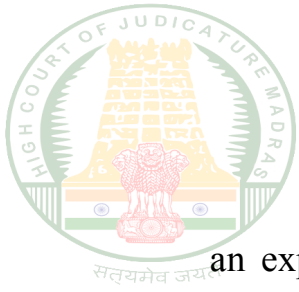
For Respondent : Mr.
Additional Government Pleader

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The order dated 26.06.2025 is under challenge in the writ proceedings.

2.Action was initiated under the Eviction of Encroachment under Control of National Highways (Land & Traffic) Act, 2002. The revenue authority namely, the Tahsildar, Madurai East Taluk, conducted a survey and found that the petitioner is an unauthorised occupant of highways land. Opportunity was provided to the petitioner to submit his explanations along with documents, if any. The petitioner also submitted



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an explanation and further gave statement before the authorities. The authorities considered the document and formed an opinion that the statement of the petitioner that no land was acquired is incorrect, since an extent of 1115 Sq.m land was acquired in S.F.No.14/2A from Sh.VMS. Gopala Krishnan Iyer and five others and awards passed by the DRO/CA (LA) Madurai on 29.11.2006 in Roc.NO.B8/83352/2002. Therefore, the land has been acquired for the project purpose and the report furnished by the Tahsildar, Madurai East Taluk, vide letter dated 31.07.2024 also confirms the said position.

3.Considering the facts and circumstances, the authority passed an order that the petitioner is an unauthorised occupant of the highways land. If at all the petitioner claims title or ownership, he has to approach the civil Court and High Court cannot conduct adjudication on disputed facts relating to civil rights. As far as the impugned order is concerned, it is clarified that the subject land was acquired for national highways project purpose and that being the factum, the petitioner has not established any *prima facie* case for the purpose of entertaining the writ petition.



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4. Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [A.D.M.C., J.]
14.07.2025

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

To
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LR

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