

W.A(MD) No.1552 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

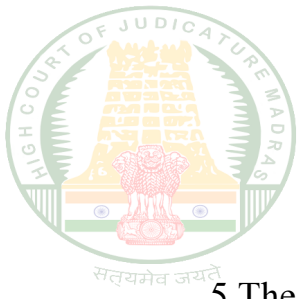
**W.A(MD) No.1552 of 2024
and
C.M.P.(MD)Nos.12215 & 12217 of 2024**

P.Veerabaskar

... Appellant / Writ Petitioner

Vs.

- 1.The District Collector,
Madurai,
Madurai District.**
- 2.The Tahsildar,
Madurai North Taluk,
Madurai District Collector Office,
Madurai District.**
- 3.The Executive Officer,
Paravai Panchayat,
Paravai,
Madurai District.**
- 4.The Town Panchayat President,
Paravai Town Panchayat,
Paravai,
Madurai District.**



W.A(MD) No.1552 of 2024

5.The Superintendent Engineer,
Tamil Nadu Road Infrastructure,
Development Corporation,
No.735, Anna Salai,
4th Floor, LLA Buildings,
Chennai-600 002.

6.The Project Director,
National Highway Authority of India,
K.K.Nagar, Madurai,
Madurai District.

7.The Executive Engineer,
The State Highways Department,
K.Pudur, Madurai.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying
this Court to set aside the order passed in W.P.(MD)No.21819 of 2023,
dated 22.08.2024 and allow this writ appeal.

For Appellant : Mr.K.Prabakaran

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate
for R1 to R5 & R7

: Mr.P.Karthick
Standing Counsel
for R6

: Mr.Mahboob Athiff
Advocate Commissioner



W.A(MD) No.1552 of 2024

WEB COPY

ORDER

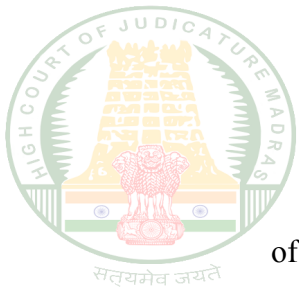
(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant filed W.P.(MD)No.21819 of 2023 to forbear the petition mentioned construction work. The local body wanted to put up a drama stage in the petition mentioned site. The writ petition was dismissed by the learned single Judge vide order dated 22.08.2024. Aggrieved by the same, this writ appeal has been filed.

3. When the matter was taken up for admission, an advocate commissioner was appointed. The advocate commissioner had inspected the site and submitted his report. The highways department have also filed their counter affidavit. Paragraph Nos.3, 4 & 5 of the counter affidavit filed by the seventh respondent read as follows:-

“3. I humbly submit that the road Dindigul – Madurai Highways from Samayanallur to Madurai town is under the control of Madurai Highways, Construction and Maintenance Division. At Km 428/4 RHS



W.A(MD) No.1552 of 2024

WEB COPY

of this road, the Drama Stage mentioned in this case is being constructed by the Paravai Town Panchayat in S.No.67, Paravai Bit 2 Village, Madurai North Taluk, Madurai District which belongs to Paravai Town Panchayat situated adjacent to the Dindigul – Madurai State Highways road which is in S.No.62.

4. I humbly submit that the above details are confirmed by the Revenue Department after field survey conducted on 2.409.2024 by the Surveyor, Kulamangalam, Madurai.

5. I humbly submit that since the Drama Stage is being constructed in the land belongs to Paravai Town Panchayat, the Highways Department does not have any control in this case.”

4. The advocate commissioner's report also confirms that the construction is not coming up in the highways. We are therefore not inclined to interfere with the order of the learned single Judge at the instance of the appellant. The writ appeal is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S., J.) (K.R.S., J.)
09.07.2025

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



W.A(MD) No.1552 of 2024

WEB COPY

To

- 1.The District Collector,
Madurai,
Madurai District.
- 2.The Tahsildar,
Madurai North Taluk,
Madurai District Collector Office,
Madurai District.
- 3.The Executive Officer,
Paravai Panchayat,
Paravai,
Madurai District.
- 4.The Town Panchayat President,
Paravai Town Panchayat,
Paravai,
Madurai District.
- 5.The Superintendent Engineer,
Tamil Nadu Road Infrastructure,
Development Corporation,
No.735, Anna Salai,
4th Floor, LLA Buildings,
Chennai-600 002.
- 6.The Executive Engineer,
The State Highways Department,
K.Pudur, Madurai.



WEB COPY



W.A(MD) No.1552 of 2024

G.R.SWAMINATHAN, J.
AND
K.RAJASEKAR, J.

rmi

W.A(MD) No.1552 of 2024

09.07.2025