



W.A.(MD)No.192 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.02.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

W.A.(MD)No.192 of 2025

and

C.M.P.(MD)No.1177 of 2025

- 1.G.Thiruvengadam
- 2.G.Venkatesan
- 3.G.Saraswathi

Appellants are represented by their Power Agent,
S.M.Thaa Judeen Ahamed

... Appellants

-Vs-

- 1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.
- 2.The General Manager (Tech),
& Project Director,
NHAI-Project Implementation Unit-Thanjavur,
No.54, First Floor, Natarajapuram North Colony,
Medical College Road, Thanjavur-613 004.

... Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 09.07.2024 made in W.P.(MD)No.9890 of 2024 on the file of this Court.

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For Appellants : Ms.H.Jasima Yasmin
for M/s.Ajmal Associates
For R2 : Mr.Su.Srinivasan

JUDGMENT

[Judgment of the Court was delivered by *DR.G.JAYACHANDRAN, J.*]

The Writ Petition filed through power agent, seeking Writ of Certiorarified Mandamus, to call for the records of the proceedings of the 2nd respondent dated 04.04.2024 and quash the same. The proceedings sought to be quashed is in respect of locating bus shelter in front of the land owned by the petitioners. When the power agent of the petitioners objected for erecting bus shelter in front of his land, the same was considered and rejected by the National Highways Authority of India, informing the objector that the shelter constructed already is in accordance with the scope of the concession agreement. Hence, the request of change of location of the bus shelter would not be considered.

2.When this communication was challenged by way of Writ Petition in W.P.(MD)No.9890 of 2024, the learned Single Judge of this Court considered the nature of the prayer and dismissed the same, holding that the contention of the



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petitioners that the bus shelter is not in use and had been misused by miscreants for anti-social elements, is factually incorrect. Further, the learned Single Judge also observed that the bus shelter is located on a highway and the petitioners have no *locus standi* to demand its removal. Being aggrieved by the order of the learned Single Judge, the present Writ Appeal is filed.

3.The learned counsel appearing for the appellants would submit that the contention of the 2nd respondent that the bus shelter is in use, is factually incorrect and there are two other bus shelters and bus stops on either side the vicinity of the bus shelter, which is the subject matter of the Writ Petition. She also sought for appointment of the Advocate Commissioner to inspect the location and file report.

4.This Court, in order to verify as to whether the subject bus shelter is in use, adjourned the matter, directing the 2nd respondent to report about the existence and use of the bus shelter. The learned counsel appearing for the 2nd respondent produced Google Map of the location taken on 03.02.2025 at 5.34 p.m., and 12.59 p.m. The photographs indicate the passengers waiting in the shelter and few passengers boarding the bus. Shelter and seating arrangement clearly indicates that the bus shelter is in use. Therefore, this Court finds no merit



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in this Writ Appeal. Hence, this Writ Appeal stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[G.J., J.] & [R.P., J.]

04.02.2025

NCC : Yes / No

Index : Yes / No

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