



*Crl.O.P.(MD)No.22436 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.12.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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Rabiya Begam

... Petitioner

Vs.

1.State of Tamilnadu rep. by, its,  
The Superintendent of Police,  
Madurai District.

2.The Additional Superintendent of Police,  
Office of the Additional Superintendent,  
Peraiyur Sub Division,  
Madurai District.

3.The Inspector of Police,  
Peraiyur Police Station,  
Madurai District.

4.The Divisional Engineer,  
Highways Department of Tamil Nadu,  
Peraiyur, Madurai.

... Respondents

(the 4<sup>th</sup> respondent is suo motu impleaded  
in this petition vide order dated 08.12.2025)

**PRAYER** : Petition filed under Section 528 of BNSS, 2023 to direct the third  
respondent not to harass the petitioner by restraining her from running their



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business, based on the representation given to the first respondent dated 11.11.2025.

For Petitioner : Mr.B.Fazilkirmani  
For Respondent : Mr.M.Sakthi Kumar,  
Government Advocate (Crl.Side)

### **ORDER**

Seeking to direct the third respondent not to harass the petitioner by restraining her from running their business, based on the representation given to the first respondent dated 11.11.2025, this petition is filed.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a self-made woman. She has applied and entered into an agency agreement to run Aavin Milk booth in a bunk shop. In order to set up a temporary bunk near road side, the petitioner approached the Highway Authority of Tamilnadu seeking permission to set up a temporary booth along with the application made at Tamil Nadu Cooperative Milk Producers Federation Limited (AAVIN) based on which, the State Highway Authority, after inspecting the spot, granted permission to the petitioner to set up a temporary bunk in a corner next to the bus stop at the end of Highway Road



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situated at Vathalakundu to Peraiyur, Kariyapatti Thirusuli-Kamuthi-Sayalkudi Road. While so, the third respondent police are unnecessarily interfering with the installation of a bunk, thereby causing serious hindrance to the petitioner's business. Hence, the petitioner seeks the indulgence of this Court to protect her livelihood.

3.*Per contra*, the learned Government Advocate (Criminal Side), on instructions, submitted that the petitioner is in the process of setting up a booth beyond the extent of the area permitted by the State Highways Authority.

4.It is the considered view of this Court that, the issue falls within the domain of the State Highways Authority. If the traffic police are of the opinion that the establishment of the booth would hinder the traffic, the third respondent police shall intimate the same to the State Highways Authority. Thereupon, the State Highways Authority shall inspect the site and facilitate the petitioner in setting up the Aavin booth without causing any hindrance to local traffic. The petitioner shall continue with the erection of the booth, subject to the conditions imposed by the State Highways Authority. Further, the Divisional Engineer, Highways Department, Government of Tamil Nadu, Peraiyur, Madurai, is *suo motu* impleaded as the fourth respondent in this



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petition and is put on notice to address the issue in an appropriate manner, ensuring that the petitioner is facilitated to set up the booth in terms of the permission already granted.

5. With the above directions, this Criminal Original Petition is disposed of.

**08.12.2025**

NCC : Yes / No  
Index : Yes / No  
vsg



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WEB COPY **TO:-**

1. The Superintendent of Police,  
Madurai District.
2. The Additional Superintendent of Police,  
Office of the Additional Superintendent,  
Peraiyur Sub Division,  
Madurai District.
3. The Inspector of Police,  
Peraiyur Police Station,  
Madurai District.
4. The Divisional Engineer,  
Highways Department of Tamil Nadu,  
Peraiyur, Madurai.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



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**L.VICTORIA GOWRI, J.**

vsg

Order made in  
Crl.O.P.(MD)No.22436 of 2025

Dated  
08.12.2025