



WEB COPY

W.P.No.7174 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.7174 of 2026

and

W.M.P.Nos.7782, 7784 & 7787 of 2026

Nallathambi

... Petitioner

-vs-

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Rasipuram,
Namakkal District.

3.The Tahsildar,
Rasipuram,
Namakkal District.

4.The Assistant Divisional Engineer,
Highways (Building and Maintenance) Development,
Rasipuram Division,
Namakkal District.

5.The Assistant Engineer,
Highways (Building and Maintenance) Development,
Rasipuram,
Namakkal District.

6.Sudhesh

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorarified Mandamus, to call for the records of impugned proceedings in Ku.No.48/Encroachment/2026/Asst.Eng. dated 10.02.2026 issued by the 5th respondent and Na.Ka.No.4076/2025/P3 dated 06.02.2026 issued by 3rd respondent and quash the same and consequently to direct the respondents not to disturb the petitioner to continue the worship of the temple namely Nallathangal Swamy temple situated at the road side of Malliyakarai to Rasipuram Road (Attur Main Road) in S.No.203, Seerapalli Village, Rasipuram Taluk, Namakkal District considering that the temple is belief of 80 Adi dravidar family as 'Kulathaivam'.

For Petitioner : Mr.R.Giridharan

For Respondents : Mr.D.Ravichander,
Spl. Govt. Pleader for R1 to R5

ORDER

(Order of the Court was made by C.KUMARAPPAN,J.,)

The present Writ Petition has been filed challenging the impugned notice issued under Section 28(2)(ii) of the Tamil Nadu Highways Act, 2001.

2. It is the well settled principle of law that Writ Petition against issuance of notice is not maintainable, unless such issuance of notice is by



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incompetent person. In the present case on hand, the notice was not issued by incompetent person. In such view of the matter, we do not find any merit to entertain the present Writ Petition. However, the petitioner is granted liberty to give his reply to the above notice. On receipt of such reply, the Authorities are directed to consider the same in accordance with law.

3. With the above directions, this Writ Petitions stands **dismissed**.
No costs. Consequently, the connected miscellaneous petitions are closed.

(S.M.S,J.) (C.K,J.)
23.02.2026

Index: Yes / No
Internet: Yes / No
dsa



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To:

- 1.The District Collector,
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- 3.The Tahsildar,
Rasipuram,
Namakkal District.
- 4.The Assistant Divisional Engineer,
Highways (Building and Maintenance) Development,
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- 5.The Assistant Engineer,
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AND
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