



W.P.No.25828 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.25828 of 2022

and

W.M.P.No.24898 of 2022

S.Chandrasekar
S/o.Seerangasamy Gounder

... Petitioner

VS.

1. The Union of India
Rep. By the Secretary to Government
Ministry of Shipping, Road Transport and Highways
Department of Road Transport and Highways
New Delhi.
2. The Project Director
National Highway Authority of India
(Dindigul – Pollachi National Highways No.209)
Sennammanaickenpatti
Dindigul – 4.
3. The District Collector
Tiruppur District
Tiruppur.
4. The Tahsildar
Madathukulam Taluk
Madathukulam.

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5. Karupannan
S/o.Semalaigounder

6. S.Punadhavali Nayagi
W/o.Late Shivaraj

... Respondents

* R6 impleaded vide order dated 12.03.2026 passed in
W.M.P.No.34957 of 2023 in W.P.No.25828 of 2022

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, forbearing the respondents 1 and 2 to lay road on the pond namely, "Karuppasamy Kulam" comprised in Survey No.522 of Myvadi Village, Madathukulam Taluk, Tiruppur District and consequently, direct the respondents 3 and 4 to remove the encroachment made by the 5th respondent in the Odai comprised in Survey No.525 of Myvadi Village, Madathukulam Taluk, Tiruppur District and further direct the respondents 1 to 4 to restore the above said pond and the Odai within a time frame as fixed by this Hon'ble Court by considering the petitioner's representation dated 16.08.2022.

For Petitioner	:	Mr.J.Aravind for Mr.R.Kannan
For Respondents	:	R1 – No appearance Mr.K.Guru Prasad for Mr.Su.Srinivasan Standing Counsel for NHAI, for R2 Mr.T.Arunkumar, Additional Government Pleader for R3 and R4 R5 – died Mr.Rishinandhan for Ms.S.Akila, for R6



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ORDER

[Made by **S.M.SUBRAMANIAM, J.,**]

The writ of mandamus has been instituted to forbear the respondents 1 and 2 to lay road on the pond namely, “Karuppasamy Kulam” comprised in Survey No.522 of Myvadi Village, Madathukulam Taluk, Tiruppur District and consequently, direct the respondents 3 and 4 to remove the encroachment made by the 5th respondent in the Odai comprised in Survey No.525 of Myvadi Village, Madathukulam Taluk, Tiruppur District and further direct the respondents 1 to 4 to restore the above said pond and the Odai by considering the petitioner's representation dated 16.08.2022.

2. Both the learned counsel for the petitioner and the learned Standing Counsel for the National Highways Authority of India would submit that the National Highways Authority of India has already laid a metal road and that the road is presently in public use.

3. Since the metal road has already been laid by the National Highways Authority of India and the same is in public usage, the relief sought for in the present writ petition does not warrant any further consideration.



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Accordingly, the Writ Petition stands dismissed. Consequently,

connected miscellaneous petition is closed. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
12.03.2026

Index : Yes

Neutral Citation : Yes / No

Speaking / Non-speaking

mk

To

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**S. M. SUBRAMANIAM, J.,
and
K. SURENDER, J.,**

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