



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 1487 of 2024

and

WMP No. 1506 of 2024

M.Balasubramaniam

..Petitioner(s)

Vs

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Divisional Engineer,
National Highways, National Highways
NH – 45C, Tanjore Division, Tanjore.
3. The Executive Officer,
Sethiyathope Town Panchayat,
Sethiyathope, Cuddalore District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from putting up any structure or passenger shed in front of the petitioner's commercial building on the pavement of Highway NH-45C at Survey No.204/1L4 Sethiyathope Town, Bhuvanagiri Taluk, Cuddalore District, obstructing the access to the petitioner's property and free movement of men and materials to the petitioner's commercial shops and building.

For Petitioner(s) : Mr.P.R.Thiruneelakandan

For Respondent(s) : Mrs.S.Anitha, SGP for R1 & 2
Ms.R.Anitha, SGP for R3



ORDER

This writ petition is filed to forbear the respondents from putting up any structure or passenger shed in front of the petitioner's commercial building on the pavement of Highway NH-45C at Survey No.204/1L4 Sethiyathope Town, Bhuvanagiri Taluk, Cuddalore District, obstructing the access to the petitioner's property and free movement of men and materials to the petitioner's commercial shops and building.

2. Learned counsel for the petitioner would submit that the Highways Authorities proposed to construct a Bus stop in the Highways Road in front of the property belongs to the petitioner. It is contended that the right of access to the property cannot be taken away by constructing a Bus stop. The petitioner has got a right of property, so also to run his business in a peaceful manner. In the event of allowing any construction in the Highways, the petitioner will be deprived of his right of business in the particular locality. Hence, the petitioner come forward with the present writ petition to forbear the respondents from putting up any construction in front of his property.

3. Learned Additional Government Pleader appearing for the respondents 1 & 2 would submit that in the present case, the construction of bus shelter has already been completed without obstructing the ingress and egress to the



petitioner's property and the same was put into use for the benefit of the public.

Accordingly, he prays for appropriate orders.

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4. Heard the learned counsel on either side and perused the materials available on record.

5. Considering the rival submissions and the fact that the construction of bus shelter has already been completed, the primary concern regarding the total deprivation of access has been addressed that the bus shed was constructed without obstructing the ingress and egress to the petitioner's property. Moreover, there are no encroachments in the pavement and the bus shelter is about 6 meters away from the National Highway. It is pertinent to note that the said bus shelter benefits the public at large, more particularly in the summer and rainy seasons. As the bus shelter was constructed for public welfare without impeding the petitioner's access to his property, this writ petition is found to be devoid of merit and the same is liable to be dismissed.

In the result, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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WP No. 1487 of 2



KRISHNAN RAMASAMY J.

VM

To:

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Divisional Engineer,
National Highways,
National Highways NH – 45C,
Tanjore Division, Tanjore.
3. The Executive Officer,
Sethiyathope Town Panchayat,
Sethiyathope, Cuddalore District.

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