



WEB COPY



W.P.No.37158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.37158 of 2025

and

W.M.P.Nos.41589 & 41592 of 2025

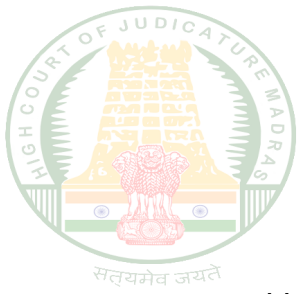
K.Ganesan
S/o.late Kandasamy

... Petitioner

VS.

1. The District Collector
Collectorate
Salem, Salem District.
2. The Divisional Engineer (Highways)
Construction and Maintenance
Edappadi
Salem District.
3. The Assistant Divisional Engineer (Highways)
Construction and Maintenance
Sankari, Salem District.
4. The Assistant Engineer (Highways)
Sankari
Salem District.

... Respondents



W.P.No.37158 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order (I) Proceedings 'Nil' dated 18.09.2025 issued by the 3rd respondent, (ii) Na.Ka.No.597/2024-25/U dated 17.03.2025 passed by the 3rd respondent and (iii) Ku.No.2225/2024-25/Ei Va A-2 dated 16.04.2025 passed by the 2nd respondent, quash the same and consequently, direct the respondents to grant permission to the petitioner to have right of access through the road margin of Vaiguntham – Vadugapatti State Highways in SF No.370/3B to reach his house and patta lands in SF Nos.381/1, 381/2, 381/4A, 381/6 and 381/8A, Vaikuntham Village, Sankari Taluk Salem District by considering his representations dated 29.11.2024 and 08.02.2025.

For Petitioner : Mr.N.Manokaran
For Respondents : Mr.T.Arunkumar
Additional Government Pleader
for R1 to R4

ORDER

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

The writ petition has been filed challenging the final notice issued under Section 28(2)(ii) of the Tamil Nadu Highways Act, 2001. Enforcement actions were initiated by the Assistant Divisional Engineer in pursuance of the orders of the High Court dated 06.06.2025 in W.P.No.18421 of 2025.



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2. The authorities, during the course of inspection, identified encroachments in the Highways properties. Thus, a notice under Section 28 of the Highways Act was issued. In view of the fact that a final notice has been issued, the petitioner is at liberty to submit his representation along with documents, if any, to the Assistant Divisional Engineer, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is received by the respondents, the same shall be considered and a final decision shall be taken regarding the encroachments already identified and thereafter, the authorities are directed to remove the encroachments, if any, identified.

3. With the above observations, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
27.04.2026

Index : Yes
Neutral Citation : Yes / No
Speaking order / Non-speaking order

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

mk

To

1. The District Collector
Collectorate
Salem, Salem District.
2. The Divisional Engineer (Highways)
Construction and Maintenance
Edappadi
Salem District.
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