



W.P.No.961 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

WEB COPY

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.961 of 2026

and

W.M.P.Nos.1158, 1160 & 1161 of 2026

Devanathan

... Petitioner

-VS-

1.The Commissioner,
Pondicherry Municipality,
Dumas Street, Main Building,
Near Beach Road,
Pondicherry – 605 001.

2.Sambhatham Pillai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorari, to call for entire records pertains to order of respondent dated 25.11.2025 made in No.730/PM/RO-I/Survey/2025. Pondicherry Municipality, Revenue Section-I, Survey Wing and quash the same as illegal.

For Petitioner : Mr.A.Gouthaman

For Respondents : Mrs.Usha,
Addl.Govt. Pleader (Puducherry) for R1



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ORDER

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(Order of the Court was made by S.M.SUBRAMANIAM,J.,)

The present Writ Petition has been instituted challenging Form - B notice issued by the Commissioner, Pondicherry Municipality under Sub-Section (1) of Section 416 of the Pondicherry Municipalities Act, 1973.

2. The Authorities identified the encroachments in municipal platform and such encroachments are causing obstruction to free flow of traffic and the pedestrians. Thus, enforcement actions are initiated to remove the encroachments to ensure free flow of traffic in public interest.

3. The learned counsel for the petitioner would submit that various other persons have encroached upon the platform and no actions are taken against those persons.

4. It is needless to state that the Authorities once identified the encroachments in municipal platforms causing obstruction to free flow of traffic or to pedestrians, then actions are to be uniformly taken to remove all such encroachments, so as to ensure free flow of traffic and for the benefit of road users. If at all any grievance exists to the petitioner, he is at liberty to approach the competent Authority for issuance of license to run



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business in a vending zone or in permitted place, as the case may be, by following the procedures as contemplated under the Act, Rules or Schemes in force. However, the encroachments in public roads and platforms at no circumstances be permitted, which would cause not only prejudice, but, there is a likelihood of accident and other untoward incidents by which the general public will be put to suffer.

5. In view of all these reasons, the Writ Petition is devoid of merits and it is accordingly, **dismissed**. No costs. Consequently, the connected miscellaneous petitions are closed.

(S.M.S,J.) (C.K,J.)
21.01.2026

Index: Yes / No
Internet: Yes / No
dsa

To:

The Commissioner,
Pondicherry Municipality,
Dumas Street, Main Building,
Near Beach Road,
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S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.

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