

W.P.(MD)Nos.35077 of 2025 & 1099 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)Nos.35077 of 2025 & 1099 of 2026

and

W.M.P.(MD)Nos.27771 & 27773 of 2025 &

845 & 846 of 2026

W.P.(MD)Nos.35077 of 2025:

Senthil

... Petitioner

-VS-

- 1.The Government of Tamil Nadu,
Rep. by its Additional Chief Secretary,
Revenue & Disaster Management Department,
Chennai.
- 2.The District Collector,
Pudukkottai District, Pudukkottai.
- 3.The Commissioner,
Aranthangi Municipality, Aranthangi,
Pudukkottai District.



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4.The Administrator / District Collector,
Sulochanambal Chathiram, Thanjavur District.

5.M/s.A.V.M.Infra Structures,

No.55, New No.18/1, Silanthipatti Main Road,
Kulathoor, Chennai – 600 009.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned G.O.Ms.No.792 (Revenue & Disaster Management Department) dated 28.10.2025 on the file of the first respondent and quash the same as illegal and further directing the respondents to consider the representations given by the petitioner dated 10.11.2025 within a time frame fixed by this Court.

For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.S.G.Rajkumar

For Respondents 1,2&4 : Mr.P.Thilak Kumar,
Government Pleader

For Respondent No.3 : Mr.M.Ajmal Khan,
Additional Advocate General – I,
Assisted by Mr.S.Kameswaran,
Standing Counsel

For Respondent No.5 : No appearance



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W.P.(MD)Nos.1099 of 2026:

Karthick

... Petitioner

-VS-

1.The State of Tamil Nadu,
Rep. by Principal Secretary to Government,
Revenue & Disaster Management Department,
Fort Saint George,
Chennai.

2.The District Collector,
Thanjavur District.

3.The District Collector,
Pudukottai District.

4.The Municipal Commissioner,
Municipal Office,
Aranthangi,
Pudukottai District.

5.The AVM INFRA,
No.55, New No.18/1,
Silandhikuttai Main Road,
Kolathur, Chennai.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Government Order in G.O.(Ms)No.792, Revenue and Disaster Management Department dated 28.10.2025 passed by the first respondent and quash the same and further directing the respondents to earmark an alternative location for the proposed new bus stand instead of T.S.No.8, Ward – C, Block – 38, Aranthangi Town and Pudukottai District.

For Petitioner : No appearance
For Respondents 1 to 3 : Mr.P.Thilak Kumar,
Government Pleader
For Respondent No.4 : Mr.M.Ajmal Khan,
Additional Advocate General – I,
Assisted by Mr.S.Kameswaran,
Standing Counsel
For Respondent No.5 : No appearance

COMMON ORDER

[Common Order of the Court was made by DR.G.JAYACHANDRAN, J.]

Two Writ Petitions are filed as Public Interest Litigations aggrieved by G.O.Ms.No.792 (Revenue & Disaster Management Department) dated 28.10.2025 issued by the first respondent namely the Government of Tamil Nadu, Additional Chief Secretary, Revenue and Disaster Management Department, Chennai.

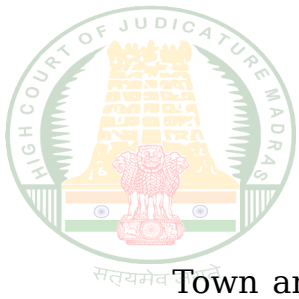


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2.The grievance of these two petitioners is that the 3.5 acres of land identified for constructing new bus stand is owned by Sulochanambal Chathiram, Thanjavur, a public charitable Trust administered by the District Collector of Thanjavur as an ex-officio administrator. The said Trust own 8.38 acres of land in total and same been leased out to the Aranthangi Weekly Market Merchant Welfare Association, Aranthangi. The said merchant association conduct shandy twice a week in the said land. While so, without following the process contemplated under the Motor Vehicles Act, 1988 and the Tamil Nadu Town and Country Planning Act, 1971, G.O.Ms.No.792 dated 28.10.2025, came to be passed and on the same day work order also was issued in favour of the fifth respondent.

3.Learned Senior Counsel appearing for the writ petitioners would submit that Rule 245 of the Motor Vehicles Rules mandates certain procedures before construction of bus stand. Mainly the local authority which contemplates construction of public bus stand has to apply to the Regional Transport Authority for approval of the scheme for constructing bus stand. The said application for approval to the Regional Transport Authority shall accompany a sketch of the proposed site and the blueprint of the structure proposed to be erected with the approval of the Director of



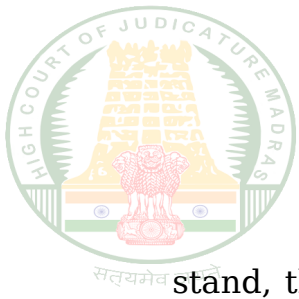
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Town and Country Planning, Madras. The application should also contain particulars about the advantage of having the public bus stand, classes of vehicles for which the stand is proposed and few other informations which are necessary for the Regional Transport Authority to apply its mind, process the application and either grant approval or reject the same or grant approval of the scheme with modification. One of the requirements contemplated under Rule 245 is the Regional Transport Authority to give opportunity to the permit holders of the existing stage carrier services in the area, while approving a public stand.

4.It is the specific allegation of the writ petitioners that the procedure contemplated under Rule 245 not followed by the Regional Transport Authority. However, enter upon permission under G.O.Ms.No.792 dated 28.10.2025 was issued and on the same day work order to the contractor also issued. Thus, the impugned order, a pre-determined decision of the authorities without following the due process is palpable on the face of the record.

5.Contending that the entire extent of 3.84 acres of land was initially leased out to the Merchant Association to carry on weekly shandy but after taking a decision to carve out 3.5 acres of land for the purpose of bus



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stand, the current year lease has restricted the area to 4 acres. Be it as it may, while taking a decision to take the Sulochanambal Chathiram land for long term lease, neither the owner of the property nor the local body had ensured the long term lease of the Trust property is given with the approval of the trustees or permission of the civil court.

6. When the matter came up for admission on 05.12.2025, we directed the respondents to file a composite report regarding the procedure followed before issuance of enter upon G.O.Ms.No.792, which is impugned. When the matter again came up on 19.12.2025, after hearing the counsels we found that the impugned order been passed with certain lapses and therefore, to ensure whether those lapses are curable and there was substantial compliance of the mandate prescribed under the statutes, we directed the District Collector to file a report regarding the process adopted for identifying the site for expansion of bus stand and whether any public hearing was given before issuing the enter upon permission and identifying the contractor to issue the work order. In compliance of the said direction on 16.02.2026, a copy of the proceedings of the meeting held at Municipal office on 24.06.2025 and the proceedings of the Regional Transport Authority of Pudukkottai dated 09.01.2026 along with counter affidavit furnished to the Court.



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7.The counter affidavit filed by the District Collector justifying the decision to select the land of Sulochanambal Chathiram Trust where weekly shandy is conducted had further stated that based on the application made by the local authority, the Regional Transport Authority had accorded permission for construction of C grade new bus stand in 3.5 acres of land under lease from the Sulochanambal Chathiram administration. Further, the permission accorded by Regional Transport Authority is dated 09.01.2026. Perusal of the permission accorded by the Regional Transport Authority records the fact that the administrative sanction for constructing new bus stand at the cost of 20.54 crores was accorded on 30.09.2025 and after calling for tender, work order was issued to M/s.AVM Infrastructure, [fifth respondent] on 28.10.2025. Only thereafter, the Commissioner, Aranthangi Municipality had sought for permission to put up bus stand in 3.5 acres being portion of the land owned by Sulochanambal Chathiram where the Aranthangi weekly shandy is conducted. After receiving the request for granting approval, the motor vehicle Inspector Grade – I had submitted feasibility report which is referred in the proceedings as Item No.4. Based on the said feasibility report, the Regional Transport Authority has granted permission for establishing the bus stand on the same day ie., 09.01.2026.



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8.From the proceedings, we could not find out whether the requirement under Rule 245 placed before the Regional Transport Authority, for seeking approval of the scheme. We also do not find whether any opportunity given to the permit holders as contemplated under Rule 245 (f), which reads as below:

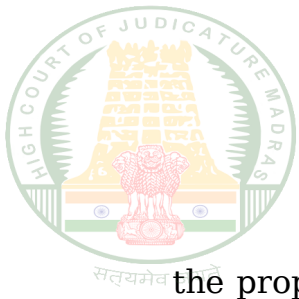
“245.Provision of public stands for public service vehicles:

(a).

.....

(f) The Regional Transport Authority may give an opportunity to the permit holders of the existing stage carriage services in the area while approving a public stand or at the time of its renewal”

9.Learned Additional Advocate General made a strenuous submission that the minor deviation in the procedure contemplated under the Rules cannot stand in the way of the laudable object of the State to provide facility to the general public. The interest of the general public should be given predominance. The Writ petitioners with ulterior motive had filed this Writ Petition under the garb of public interest litigation. Their interest in running the weekly shandy is no way affected by establishing the bus stand in the chosen site. 4.34 acres of land leased out to them remains intact and



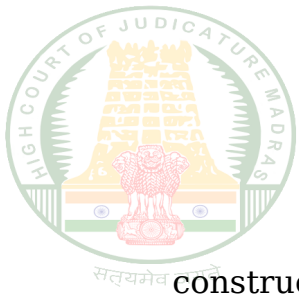
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the proposed site is only in the remaining portion of the land owned by the Sulochanambal Chathiram. Though Rule 245 speaks about the approval of the scheme by the Regional Transport Authority on the application of local authority, to implement the project approval of Regional Transport Authority is not a pre-condition. A post ratification as in this case is permissible and when there is substantial compliance of the Rule, the said project cannot be turpitude at the instance of certain vested interest persons.

10. Learned Additional Advocate General would also submit that the Rule does not mandate public hearing and what is contemplated under clause (f) of Rule 245 is only optional and directory and not mandatory since the word 'may' is employed and not 'shall'.

11. We have given our anxious consideration to the rival submissions.

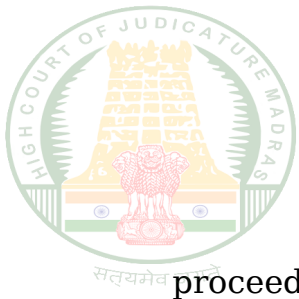
12. The records placed before us indicates that in the floor of the Assembly, Hon'ble Minister drew his speech on grant for the year 2023-24 had announced about the Government's intention to construct new bus stand at Aranthangi. Thereafter, the Aranthangi Municipality had passed a resolution identifying the land of Sulochanambal Chathiram for the



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construction of new bus stand in 3.5 acres. The Aranthangi Municipality has convened meeting for public to express their views about the proposed construction of bus stand on 24.06.2025. The minutes of the meeting is furnished by the respondent. Thereafter, even without application for approval from local authority for approval of Regional Transport Authority, the impugned G.O.Ms.No.792 dated 28.10.2025 has been passed. Surprisingly, along with the enter upon permission, work order also been issued to the fifth respondent which means that the tender process ought to have commenced much earlier or without following the tender process work order has been issued to the fifth respondent. Either way, the haste in issuing the work order along with the impugned G.O.Ms.No.792 dated 28.10.2025, without following or even without commencing the process of getting approval clearly shows the malafide intention of the respondents.

13.Only after filing of this Writ Petition and notice to the respondents, the local authorities have thought fit to seek for approval from the Regional Transport Authority and the Regional Transport Authority for his share of dereliction had soon after receiving the request for approval, on the same day had issued the permission. Though learned Additional Advocate General would submit that this permission order dated 09.01.2026 is in compliance of Rule 245, the content of the said



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proceedings of the Regional Transport Authority, the reference made in the said proceedings does not indicate that it was issued after examining the necessary records and on application of mind. Therefore, we have no hesitation to hold that G.O.Ms.No.792 dated 28.10.2025, followed by the work order issued in favour of the fifth respondent sphered with arbitrariness and malafide.

14.The enter upon permission issued by the Government in respect of the land owned by the Sulochanambal Chathiram is without any authority. There is no material placed before this Court to show that the District Collector who is functioning as the Administrator of the said Trust had consulted the trustees or the beneficiaries of the Trust whether to lease out substantial portion of the land for long term lease for construction of bus stand. The proceedings referred in the impugned G.O.Ms.No.792 dated 28.10.2025 has given predominance to the announcement of the Minister but silent about the consent of the Trust for granting long term lease. The District Collector who is exercising the function of the Administrator of the Trust has no authority to take a decision arbitrarily in respect of leasing out the Trust property. In the absence of record to show that the Collector has consulted and got the concurrence of the trustees to lease out the property, we have to infer that



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the Collector as Administrator of the Trust had on his own taken decision to lease out 3.5 acres of land for the construction of new bus stand. To add, the work order in favour of the fifth respondent issued on the same day of enter upon permission exhibits the mucky manner in which the scheme of constructing the new bus stand in Aranthangi been carried out.

15.Hence, the Writ Petitions are allowed and G.O.Ms.No.792 dated 28.10.2025, stands quashed and the consequential work order dated 28.10.2025 is also quashed. The official respondents are at liberty to commence the process afresh following the mandates of the law and proceed further. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] & [K.K.R.K., J.]

17.02.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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To

- 1.The Additional Chief Secretary,
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Revenue & Disaster Management Department,
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- 2.The Principal Secretary to Government,
State of Tamil Nadu,
Revenue & Disaster Management Department,
Fort Saint George,
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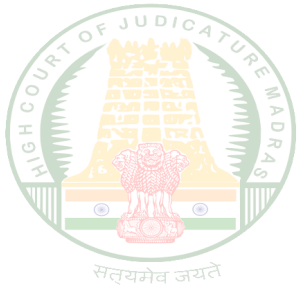


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AND
K.K.RAMAKRISHNAN, J.

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