

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.13569-13570 OF 2025
(Arising out of SLP(C)Nos.15235-15236 of 2025)

THE DEPUTY GENERAL MANAGER (TECHNICAL) AND PROJECT DIRECTOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA PROJECT IMPLEMENTATION UNIT -
TIRUCHIRAPPALLI & ANR. ... APPELLANTS

Versus

T. CIBI CHAKRABORTHY & ANR. ... RESPONDENTS

O R D E R

1. Leave granted.
2. We have heard learned Senior Counsel appearing on behalf of the appellants as well as learned counsel appearing on behalf of respondent No.1 with reference to the controversy re: access to the property of the first respondent from NH-83 (Trichy-Dindigul Section). Though the High Court, vide the impugned judgment dated 19.02.2025, has directed to remove the Metal Beam Crash Barrier (MBCB) and permit respondent No.1 to have direct access from the National Highway to his property, we find that such a direction will be a traffic hazard. The Metal Beam Crash Barrier, keeping in view its location, as depicted in the photographs appended with the Rejoinder Affidavit, is extremely important for road safety, and as such, the direction to remove it has to be set aside. Similarly, instead of having direct access from the National Highway to his property, the interest of respondent No.1 can be adequately

safeguarded by permitting him to have access from the approach road, which is on the left-hand side of his property and from where he is permitted to take U-turn on the National Highway. In addition to U-turn, the first respondent shall be entitled to have access to his property from that approach road by taking right turn through the pathway abutting the Metal Beam Crash Barrier, namely, towards the side of his property facing the National Highway. However, the open space/pathway shall not be misused for the purpose of public parking as the lands belong to NHAI. Similarly, such permission to access granted to respondent No.1 shall not cause any impediment in the expansion of the National Highway or for construction of service road, as and when required. It is made clear that respondent No.1 shall be entitled to use his own land/building for the purpose of parking and shall not utilise NHAI property for that purpose.

3. The appeals stand allowed in part and the impugned judgment of the High Court is, accordingly, modified.

.....J.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

NEW DELHI;
NOVEMBER 12, 2025.

ITEM NO.11

COURT NO.2

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).15235-15236/2025

[Arising out of impugned final judgment and order dated 19-02-2025 in WAMD No.1950/2024 19-02-2025 in CMPMD No.14426/2024 passed by the High Court of Judicature at Madras at Madurai]

THE DEPUTY GENERAL MANAGER (TECHNICAL) AND PROJECT DIRECTOR NATIONAL HIGHWAYS AUTHORITY OF INDIA PROJECT IMPLEMENTATION UNIT - TIRUCHIRAPPALLI & ANR. **Petitioner(s)**

VERSUS

T. CIBI CHAKRABORTHY & ANR.

Respondent(s)

FOR ADMISSION

Date : 12-11-2025 These petitions were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI**

For Petitioner(s) Ms. Pinky Anand, Sr. Adv.
Mr. Kunal Yadav, AOR
Mr. Samrat Pasriccha, Adv.
Ms. Chanya Jaitly, Adv.
Mr. Kartikey Yadav, Adv.
Mr. Parth Yadav, Adv.
Ms. Nayoleeka Purty, Adv.
Mr. Neeraj Sharma, Adv.
Mr. Harsh Yadav, Adv.

For Respondent(s) Mr. M.P. Parthiban, AOR
Ms. Priyaranjani Nagamuthu, Adv.
Mr. Bilal Mansoor, Adv.
Mr. Shreyas Kaushal, Adv.
Mr. S. Geyolin Selvam, Adv.
Mr. Alagiri K, Adv.
Mr. Shivansh Sharma, Adv.
Mr. Rohan Singh, Adv.
Mr. Abhishek S, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

Leave granted.

The appeals stand allowed in part in terms of the signed

order.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(signed order is placed on the file)

(PREETHI T.C.)
ASSISTANT REGISTRAR