

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.13309 of 2015
and
M.P.No.1 of 2015

R.Palanisamy

.. Petitioner

-vs-

- 1.The District Collector,
Namakkal.
 - 2.The Executive Engineer,
Public Works Department,
Namakkal District.
 - 3.The Assistant Executive Engineer,
Public Works Department,
Sarabanga Drainage Sub-Division,
Namakkal District.
- ... Respondents

Petition under Article 226 of the Constitution of India
praying for issue of Writ of Mandamus forbearing the respondents from
constructing any bridge across the Karuvattaru river between the
Chekkan Dam and Kannankattu Dam without taking preliminary measures
to strengthen the southern bund of the river.

For Petitioner : Mr.I.Abrar Md. Abdullah

For Respondents : Mr.STS.Moorthy
Govt. Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Public Interest Litigation jurisdiction of this Court is being
invoked even for the purposes of deciding where the bridge should be
constructed and what should be its alignment. In our view, this is
not the scope of Public Interest Litigation jurisdiction, nor the
Court has expertise to decide such issues, which are best left to the
technical people. The petitioner may have his own point of view that
the southern bund of the river needs to be strengthened before any
proposal for the bridge is analysed. However, we are sure that all
technical surveys would be done before a decision is taken to build
the bridge and necessary precautions taken.

2. We, thus, close the Public Interest Litigation proceedings. However, in case the petitioner wants to give any input on his own, it is for him to approach the technical authorities and it is for the wisdom of the technical authorities to consider the same. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Namakkal.
- 2.The Executive Engineer,
Public Works Department,
Namakkal District.
- 3.The Assistant Executive Engineer,
Public Works Department,
Sarabanga Drainage Sub-Division,
Namakkal District.

- + 1 cc to Mr.R.Subramanian, Advocate Sr.24469
- + 1 cc to the Government pleader Sr.23977

W.P.No.13309 of 2015

RJ(CO)
EU 21.05.2015

सत्यमेव जयते

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