

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.Nos.3354 of 2011 and 30004 of 2010
and M.P.No.3 of 2011 in W.P.No.3354 of 2011
and M.P.No.1 of 2012 in W.P.No.30004 of 2010

1 P.DAVID RAJ
2 A.SURESH KUMAR
3 M.BRUNO JOSEPH PRAKASAM
4 S.RAVICHANDRAN
5 S.GOVINDARAJAN
6 A.SARAVANAN
7 M.ABDUL KALAM AZAD
8 K.NATARAJAN
9 M.RAJU
10 V.VISWARAJASEKARAN
11 N.SUBRAMANI
12 M.MALARKANNAN
13 S.MANI NAIR
14 C.SUBRAMANI
15 M.JAYANTHI
16 T.SARAVANAN .. PETITIONERS IN W.P.3354/11
17. R.SHANTHI .. PETITIONER IN W.P.30004/10

Versus

1 THE STATE REPRESENTED BY
THE SECRETARY TO GOVERNMENT STATE HIGHWAYS
DEPARTMENT, SECRETARIAT, FORT ST. GEORGE,
CHENNAI-9.

2 THE DISTRICT COLLECTOR,
O/O. THE DISTRICT COLLECTOR, TIRUPUR,
TIRUPUR DISTRICT.

3 THE DISTRICT REVENUE OFFICER,
O/O. THE DISTRICT REVENUE OFFICER, TALUK
OFFICE CIRCLE, TIRUPUR.

4 THE THASILDAR,
O/O. THE THASILDAR TALUK OFFICE, TIRUPUR.

5 THE CHIEF BRIDGE ENGINEER,
O/O. THE CHIEF BRIDGE ENGINEER, SOUTHERN
RAILWAY, CHENNAI-3.

- 6 THE CHIEF ENGINEER (HIGHWAYS),
O/O. THE CHIEF ENGINEER, CHENNAI.
- 7 THE SUPERINTENDING ENGINEER,
(HIGHWAYS) O/O. THE SUPERINTENDING ENGINEER,
PROJECTS CIRCLE, COIMBATORE-641043.
- 8 THE DIVISIONAL ENGINEER,
(HIGHWAYS) O/O. THE DIVISIONAL ENGINEER,
NEAR NORTH KOVAI OVERBRIDGE COIMBATORE-43.
- 9 THE ASSISTANT DIVISIONAL,
ENGINEER HIGHWAYS PROJECTS SUB-DIVISION,
TIRUPUR.
- 10 THE ASSISTANT ENGINEER,
(HIGHWAYS) PROJECTS SECTION II, TIRUPUR.
- 11 M/S. ACE HOUSING PROJECTS.
REP. BY ITS PROPRIETOR A.R.SIVASHANMUGAM
OFFICE AT NO.2C, FIRST FLOOR, HARI COMPLEX,
UNION MILL ROAD,
TIRUPUR-641601. ... RESPONDENTS IN BOTH W.Ps.

Prayer in W.P.No.3354 of 2011: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of declaration, declaring the act of the respondents 1 to 10 in execution of the project of construction of bridges across Noyyal River of Tirupur-Somanur Road to Chikanna College Road and road over bridge at KM 1/4 of Chikanna College Road to Tirupur-Somanur Road in lieu of arch bridge No.29 at Tirupur and forming connectivity road between the two bridges affecting the residential area where the Petitioners house property situated at S.F.No.636/1B 15 Velampalayam Panchayat Tirupur is not in accordance with the Tamil Nadu Highways Act 2001 Tamil Nadu Highways Rules 2003 Principles of natural justice and the same is null and void consequently direct the Respondents 1 to 10 to consider alternative proposal where the vacant lands are available for the construction of Road over Bridge between Thirupur and Vanjipalayam Railway Stations and forming a connectivity road between the two bridges without affecting the residential area of the petitioners situated at S.F.No.636/1B, 15 Velampalayam Panchayat, Tirupur.

Prayer in W.P.No.30004 of 2010: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for the entire records pertaining to the Land Plan Schedule prepared by the 8th and 9th respondents dt 31.7.2009 for the construction of Road Over Bridge at KM 1/4 of Tirupur-Somanur road to Chikanna College Road near the Railway Arch Bridge No.29 at Railway KM 445/19-21 in between Tirupur and Vanjipalayam Railway Stations affecting the residential area where the petitioners house property situated at S.F. No. 636/1B 15

Velampalayam Panchayat Tirupur and quash the same consequently direct the respondents 1 to 10 to consider alternative proposal where the vacant lands are available for the construction of Road Over Bridge between Tirupur and Vanjipalayam Railway Stations without affecting the residential area which is situated at S.F.No.636/1B, 15 Velampalayam Panchayat, Tirupur.

For Petitioner : Mr.R.Selvakumar
in both W.Ps.

For Respondents : Mr.R.Vijayakumar (for R1-R4 & R6-R10)
in both W.Ps. Additional Government Pleader.

Mr.P.T.Ramkumar (for R5)

C O M M O N O R D E R

Mr.R.Selvakumar, learned counsel appearing for the petitioners has circulated a letter dated 28.04.2015 to the Registry seeking permission to withdraw these writ petitions. The letter dated 28.04.2015 shall be treated as part of record.

2. Recording the same, the writ petitions are dismissed as withdrawn. No Costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

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THE SECRETARY TO GOVERNMENT STATE HIGHWAYS
DEPARTMENT SECRETARIAT FORT ST. GEORGE
CHENNAI-9.

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O/O. THE DISTRICT COLLECTOR TIRUPUR
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TIRUPUR.
- 10 THE ASSISTANT ENGINEER
(HIGHWAYS) PROJECTS SECTION II TIRUPUR.

+1cc to Mr.R.Selvakumar, Advocate SR.No.24414, 24418

+1cc to Mr.P.T.Ramkumar, Advocate SR.No.24908

PUR[co]
gp/22.05.2015

W.P.Nos.3354 of 2011
and 30004 of 2010

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