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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD) No.1939 of 2015

and

M.P. (MD) .No.1 of 2015

V.Vijayapriya

:Petitioner

Vs

1.The District Collector,
Trichy District, Trichy.

2.The District Revenue Officer,
Trichy District.

3.The Divisional Engineer,
Highways Projects Sub Division-I,
Trichy-1.

:Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondents to provide approach or service road along the State Highways abutting the petitioner's retail outlet No.1, Dindigul Road, Trichy during the formation of the over bridge near the Tiruchirapalli Railway Junction and Bus Stand in the M.S.P.Camp Road.

For Petitioner : Mr.T.V.Sivakumar

For Respondents : Mr.K.Chellapandiyan AAG,
assisted by

Mr.A.Muthukaruppan, AGP

Mr.S.Veluchamy, Advocate Commissioner

O R D E R

When the matter is taken-up for hearing, as per the direction of this Court dated 24.02.2015, the Advocate Commissioner has filed a report dated 05.03.2015.

2. The learned Additional Advocate General appearing for the respondents drew the attention of this Court through the counter affidavit of the third respondent that it has been clearly stated in the penultimate paragraph of the counter affidavit that they will provide a passage to the petrol bunk of the petitioner to an extent of 13.50mtrs. Further, it is stated that after notification of Section 15(1) of the Tamil Nadu Highways Act 2001, the respondent will give time, as per law and after that, service road also will be provided to the petitioner.

3. In view of the above-said statement, since they are providing access to the petrol bunk, the apprehension of the petitioner is now safeguarded by the counter of the third respondent, making it clear that the passage in question will not be closed through out the construction of the bridge. The Commissioner Report is also taken on record.



4. Recording the submission, this Writ Petition is closed as no further orders are necessary in this Writ Petition. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.side)

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/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Trichy District,
Trichy.

2.The District Revenue Officer,
Trichy District.

3.The Divisional Engineer,
Highways Projects Sub Division-I,
Trichy-1.

+1CC to M/s.H.Lakshmi Shankar, Advocate in SR.11373

+1CC to the Special Government Pleader in SR.11832

W.P. (MD) No.1939 of 2015
09.03.2015

ssm

PBK 20/03/2015 ::2P-6C: