

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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PUBLIC INTEREST LITIGATION No. 254 OF 2015

Date: 04.11.2015

Between:

O. Purushotham & others.

... Petitioners

And

The State of A.P., rep., by its Secretary,

Ministry of Municipal Administration,

Hyderabad & others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

PUBLIC INTEREST LITIGATION No. 254 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

The petitioners in the instant public interest litigation make the following prayers:

“(i) directing the respondents to take steps to widen the Rehamat Nagar Rail Under Bridge located at a distance of 200 metres from Ramnagar Railway Gate for vehicular traffic facilitating free traffic flow for light vehicles as well as ambulances with 50 feet width and approach roads on the west and east of the railway track before the closure of Ramnagar Railway Level Crossing Gate for construction purposes.

(ii) to direct the respondents to justify the proposal for construction of Rail Over Bridge (ROB) which is costing double the cost of Rail Under Bridge (RUB).”

Sri K. Gopala Krishna Murthy, learned counsel for the petitioners, submits that if the work of flyover starts at the place where the existing level crossing is there that will cause tremendous inconvenience to the people of Anantapur District.

Respondent No.3 has filed counter affidavit and in paragraph 7 he stated thus:

“In reply to the averments in para Nos.18 and 19 of the affidavit, it is submitted that during the construction of R.O.B. at LC.No.127, arrangement will be made for passage of vehicles by shifting existing LC by 13.20 mts., towards Dharmavaram side and joining the road with approaches. Hence, the movement of vehicles will take place as usually even during the construction of R.O.B. and further usual the existing RUB No.75 will also be in operation for movement of traffic during closure of LC No.127.”

Having regard to the contents of paragraph 7 of the counter affidavit, Sri Gopala Krishna Murthy, learned counsel for the petitioners, submits that let there be a direction to the 3rd respondent to provide level crossing and then start the work of construction of flyover.

Learned Government Pleader appearing for the 3rd respondent submits that the

3rd respondent shall provide alternative level crossing well within time and shall see that no inconvenience is caused to the public.

We record the statements made on affidavits and accept them. In view thereof, nothing further survives in the petition.

Public interest litigation is disposed of.

Miscellaneous petitions, if any, shall also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 04.11.2015

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