

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-8-2014

CORAM

**THE HONOURABLE MR.SANJAY KISHAN KAUL, THE CHIEF
JUSTICE**

AND

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.25880 of 2014

M.M.Mayielsaamy

.. Petitioner

vs

1.The General Manager
Southern Railway
Chennai 600 003
2.The Divisional Railway Manager
(Works)
Southern Railway
Salem Division, Salem 636 005

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to take immediate action to widen from 3.5 meters to 7 meters and relaying of the approach road at Mecheri Railway Station by considering the petitioner's representation dated 5.8.2013 forthwith.

For Petitioner : Mr.P.Jagadeesan

For Respondents : Mr.V.G.Sureshkumar

ORDER**(Order of the Court was made by THE HON'BLE THE CHIEF JUSTICE)**

The pathetic state of the roads maintained by the Railways is quite apparent. Yet there is complete inaction. We would like to reproduce para 4 and 5 of the counter affidavit of the respondents as under:-

"4.I state that the pot-holes in the road within the railway limits are repaired and attended to by the railways whenever occasion arises. However, due to the steep gradient prevailing on the right side of the station yard, rain water flows through this road which is one of the reasons for the road getting constantly damaged.

5.I state that the Level Crossing connects a major District Road between Macheri Town and Nangavalli. The width of the existing approach road in the railway premises is 5 metres with water bound macadam. Presently, the road is maintained by the staff of the Railway department. Though an agency was appointed under Agreement No.SA/376 dated 15.12.2010 for laying of a

tar road, due to problems which arose in relation to the said contract, the contract has been foreclosed on 13.8.2013. The road surface for about 60 metres on either side of the Level Crossing has been laid with tar and is in a good condition. The approach road is made up to water bound macadam and is therefore having pot-holes. If the Local Panchayat Union of Macheri is ready to share the expense on deposit terms, the railway administration is willing to widen and relay the said road."

2.The aforesaid shows that for three years, the Railways were sitting over the issue of a simple task of repairing a road. We call upon respondents 1 and 2 both to ensure that the road is fully repaired in a proper manner with use of proper material so that a few days down the line, the same situation does not arise. The needful be done within three months from today.

3.The writ petition stands disposed of with the aforesaid direction. No costs.

4.The compliance report be filed within a week thereafter failing which the respondents shall remain personally present in Court.

5.List for compliance on 8.12.2014.

(S.K.K.,C.J.) (M.S.N.,J.)

27-8-2014

Index: yes/no

nsv

To:

- 1.The General Manager
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- 2.The Divisional Railway Manager
(Works)
Southern Railway
Salem Division, Salem 636 005

**THE HON'BLE THE CHIEF
JUSTICE
AND
M.SATHYANARAYANAN, J.**

nsv

W.P.No.25880 of 2013

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