

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.33403 of 2016

A.Ezhil Shanmugam

.. Petitioner

Vs.

1. The District Collector
Kancheepuram District
Kancheepuram.

2. The Revenue Divisional Officer
Kancheepuram District
Kancheepuram.

3. The Block Development Officer
Ilathur
Kancheepuram District.

4. The Thasildhar
Cheyyur Circle
Kancheepuram District.

5. The President
Village Panchayat
Cheyyur Village
Kancheepuram District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to consider the representations of the petitioner dated 29.12.2015 followed by 1.8.2016 and in accordance with the direction of 2nd respondent dated 19.1.2016 to lay road in Survey No.414/3 from Uppalam Road to the Devarajapuram Village or any other way to reach from Uppalam Road to Devarajapuram Village, Cheyyur Taluk, Kancheepuram District.

For Petitioner : Mr.M.Murali
For Respondents : Mr.R.Vijayakumar
Additional Govt. Pleader
for respondents 1 to 4

ORDER

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

The petitioner is aggrieved by the non-construction of a road for providing better access to villages from Uppalam Road to Devarajapuram Village. The last representation given in this behalf was on 1.8.2016.

2. We raised a query to the learned counsel for the petitioner as to whether any budget provision has been made or not for the said project. It appears from his response that it is not so. Implementation of the projects of this nature require budgetary provisions, which are purely within the administrative domain of the authorities concerned. Therefore, no writ of mandamus can be issued in respect of the public interest litigation.

3. We may hasten to add that this will not preclude the respondent/authorities from examining the representation of the petitioner and seeking budgetary provision for the same and for the petitioner to follow up the representation administratively.

The petition is, accordingly, closed in the aforesaid terms. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To:

1. The District Collector
Kancheepuram District
Kancheepuram.

2. The Revenue Divisional Officer
Kancheepuram District
Kancheepuram.

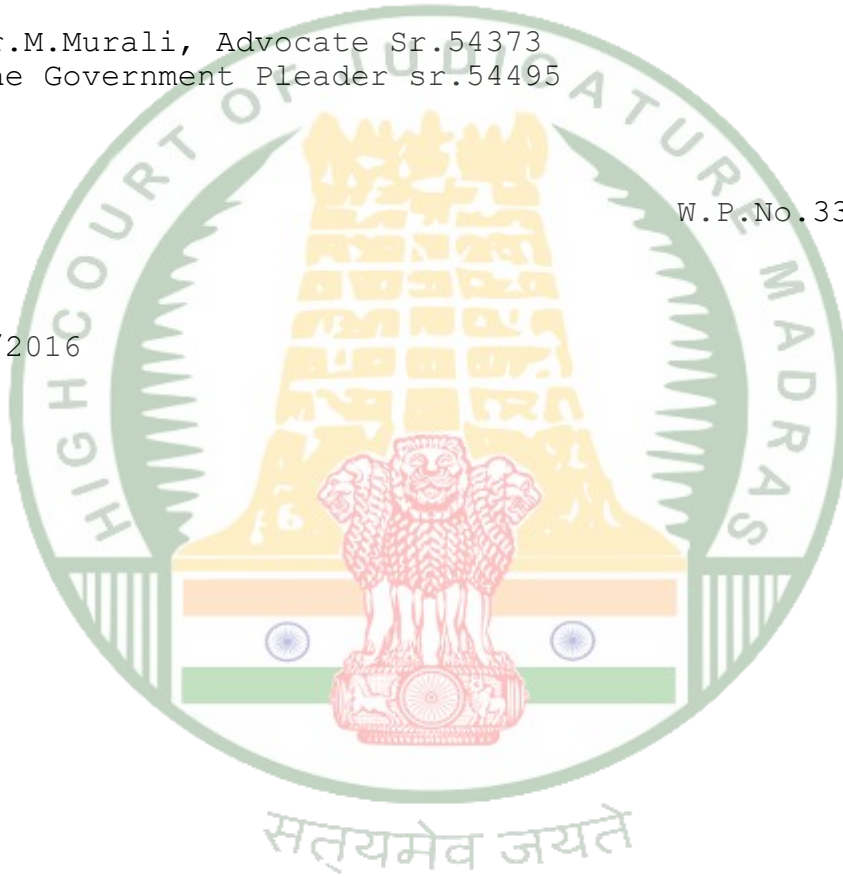
3. The Block Development Officer
Ilathur
Kancheepuram District.

4. The Thasildhar
Cheyyur Circle
Kancheepuram District.

+lcc to Mr.M.Murali, Advocate Sr.54373
+lcc to the Government Pleader sr.54495

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srg 30/09/2016



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