

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.04.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6345 of 2017
and
W.M.P.No.6842 of 2017

Manikandan

.. Petitioner

Vs.

1. The District Collector,
Thiruvallur District,
Collectorate Office, Thiruvallur.
 2. The Block Development Officer,
Minjur Panchayat Union and in charge of
Kattupalli Village Panchayat &
Nandiyambakkam Village Panchayat,
Ponneri Taluk, Thiruvallur District.
 3. The Assistant Executive Engineer,
Construction & Maintenance,
Tamil Nadu Highways Department,
Ponneri, Thiruvallur District.
 4. NDR Infrastructure Container & Frieight Station,
rep. by its Managing Director,
Nandiyambakkam via,
Cheppakkam Village Road,
Nandiyambakkam Post,
Ponneri Taluk,
Thiruvallur District - 600 120.
- .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to take action on the petitioner's representation dated 02.03.2017 and forebear the third respondent from any manner converting, expanding and laying the village mud road situated at Cheppakkam Village, Kattupalli Panchayat, Ponneri Taluk, Thiruvallur District.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for respondents 1 to 3

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for respondents 1 to 3.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 to 3.

3. The petitioner has filed the writ petition seeking for a writ of mandamus directing the first respondent to take action on the petitioner's representation dated 02.03.2017 and forebear the third respondent from any manner converting, expanding and laying the village mud road situated at Chepakkam Village, Kattupalli Panchayat, Ponneri Taluk, Thiruvallur District.

4. The case of the petitioner is that the fourth respondent was transporting huge containers in the mud road of their village causing nuisance and vibration, affecting the safety and security of the villagers. Now at the instance of the fourth respondent, the third respondent is laying tar road to facilitate the transporting of fourth respondent's vehicles. In this regard, on 02.03.2017 the petitioner sent representation to the respondent authorities. Despite receipt of the representation, the respondent authorities have not taken any action. Hence, the petitioner has filed the writ petition seeking the relief stated supra. The petitioner is seeking for an injunction restraining the third respondent in converting, expanding and laying the village mud road into a tar road by way of public interest litigation.

5. The grievance urged by the petitioner before us is that the fourth respondent was transporting huge containers in the mud road causing nuisance and vibration to the persons who are living on the road side. It is for the petitioner to approach the police authorities/revenue authorities and submit a representation. On receipt of such representation, the police

authorities/revenue authorities to look into the matter in accordance with law.

6. In so far as the allegation of the petitioner that at the instance of the fourth respondent, the third respondent is laying tar road to facilitate the transporting of fourth respondent's vehicles, it is for the respondent authorities to look into this matter and do the needful in accordance with law.

7. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.6842 of 2017 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr
To:

1. The District Collector,
Thiruvallur District,
Collectorate Office,
Thiruvallur.
2. The Block Development Officer,
Minjur Panchayat Union and in charge of
Kattupalli Village Panchayat &
Nandiyambakkam Village Panchayat,
Ponneri Taluk,
Thiruvallur District.
3. The Assistant Executive Engineer,
Construction & Maintenance,
Tamil Nadu Highways Department,
Ponneri, Thiruvallur District.

+1cc to Mr.S. Venkatesh, Advocate, S.R.No.19905
+1cc to the Government Pleader, S.R.No.20179

ev(CO)
md(12/04/2017)

W.P.No.6345 of 2017