



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **13.10.2017**

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE
W.P.(MD)No.19210 of 2017

Saravanan : Petitioner

-Vs-

1.The Divisional Engineer (Highways),
(Nabard and Village Roads),
Tirunelveli.

2.The Assistant Divisional Engineer,
(Nabard and Village Roads),
Kovilpatti,
Tuticorin District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to lay a service road in Natarajapuram 6th Street which is situated in the Ilayarasanenthall road near railway under bridge, Kovilpatti Town, Tuticorin District.

For Petitioner : Mr.J.Senthil Kumaraiah
For Respondents : Mr.T.R.Janarthanan,
Additional Government Pleader

O R D E R

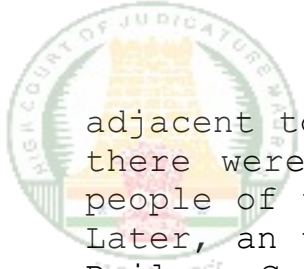
[Order of the Court was made by **M.VENUGOPAL, J.**]

Mr.T.R.Janarthanan, Learned Additional Government Pleader, takes notice for the Respondents.

2. Heard both sides. No counter is filed on behalf of the Respondents.

3. By consent, the main Writ Petition itself is taken up for final disposal.

4. According to the Petitioner, he is a practising Advocate hailing from Kovilpatti Town and he is filing the present Writ Petition on behalf of the entire people. He is one of the residents of Natarajapuram 6th Street, Kovilpatti Town. In this area, 18 Streets are there. Further, 2,000 families are residing in the said Streets. In the Petitioner's area, Ilayarasanenthall Road connects Kovilpatti Main Road and in the said Ilayarasanenthall Main Road, a Railway Crossing is there and



adjacent to that Railway crossing and both sides of the said Road, there were 15 feet pathway located, by which, the residents and people of the Petitioner's Streets go to the areas and graveyards. Later, an under Railway Bridge was constructed in the afore-stated Railway Crossing. Because of the said construction, eastern side of the service road is occupied, due to which, the earlier 15 feet pathway got reduced to 6 feet. Hence, the present Writ Petition has been filed by him in directing the Respondents to lay a service road in Natarajapuram Sixth Street, which is situated in the Ilayarasanenthal Road, near Railway Under Bridge, Kovilpatti Town, Tuticorin District.

5. At this juncture, the Learned Additional Government Pleader appearing for the Respondents brings it to the notice of this Court that the second Respondent had addressed a communication to the Petitioner on 04.07.2017 stating that necessary works in regard to the land acquisition are being undertaken in a fast/speedy fashion and soon after the completion of works relating to land acquisition, necessary proceedings/action would be undertaken for forming the service road. A copy of the said communication dated 04.07.2017 of the second Respondent was marked to the first Respondent/Divisional Engineer (Highways), (Nabard and Village Roads), Tirunelveli.

6. Taking note of the fact that the second Respondent had addressed a communication dated 04.07.2017 to the Petitioner with a copy being marked to the first Respondent, wherein he had categorically mentioned that soon after the completion of land acquisition works, proper proceedings/action would be taken for forming the service road, at this stage, this Court is of the considered view that the reply furnished by the second Respondent would suffice for the present.

7. Recording the same, this Court disposes of the Writ Petition as no further orders are necessary in the present Writ Petition. No costs.

Sd/-
Assistant Registrar(AE)

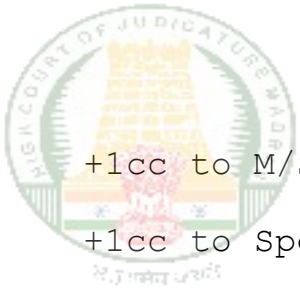
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Sub Assistant Registrar

To

1.The Divisional Engineer (Highways),
(Nabard and Village Roads),
Tirunelveli.

2.The Assistant Divisional Engineer,
(Nabard and Village Roads),
Kovilpatti,
Tuticorin District.



+1cc to M/S.J.SENTHIL KUMAR, Advocate SR.No.82932

+1cc to Special Government Pleader, SR.No. 82996

SML

MAS/JC/SAR2:02.11.2017:3P-5C

Order made in
W.P. (MD) No.19210 of 2017
Dated: 13.10.2017