



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH
AND
THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. (MD) No. 23327 of 2017

T. Balamurugan

: Petitioner

Vs.

1. The General Manager,
Southern Railway
Park Town, Chennai.

2. The Divisional Railway Manager,
Southern Railway, Madurai.

3. The District Collector,
Madurai District, Madurai.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents to take necessary action to provide limited use sub-way across the Madurai - Bodinaickanoor Railway Line at KM14/000-14/00 based on the representation dated 22.11.2017 sent by the villagers.

For Petitioner : Mr. C. Arul Vadivel @ Sekar
For Respondents : Mr. A. Haja Mohideen for R1 & R2
Mr. T. R. Janarthanan for R3
Additional Government Pleader

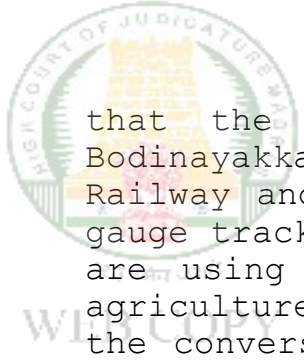
ORDER

[Order of the Court was made by R. SUBBIAH, J]

This writ petition has been filed as public interest litigation to direct the respondents to take necessary action to provide limited use of the sub-way across the Madurai - Bodinaickanoor Railway Line at KM14/000-14/00 based on the representation dated 22.11.2017 sent by the villagers.

2. Heard the learned counsel for the petitioner, learned counsel for the respondents 1 and 2 and the learned Additional Government Pleader for the third respondent.

3. It is the case of the petitioner that he is one of the resident of Kinnimangalam Village, Tirumangalam Taluk, Madurai District. There are 5600 people living in the villages of Kinnimangalam, Alampatty, Poovarasampatty, Pottalpatty etc., coming under Tirumangalam Taluk. It is the further case of the petitioner



that the conversion of metre gauge line between Madurai and Bodinayakkanoor to broad gauge is under process by the Southern Railway and earlier there was unmanned level crossing in the metre gauge track at KM14/000-14/100 crossing No.12 and most of the people are using the unmanned level crossing for going to school, for agriculture transportation and for other purposes. While so, during the conversion of metre gauge, sub way works were being undertaken at various locations in the said route. However, there is no provision for the unmanned level crossing No.12 and the said crossing has been removed. Due to the removal of the unmanned level crossing No.12 and the absence of the shortest route, the people are forced to travel several kilometres to reach the nearby places. Therefore, the petitioner sent a representation on 22.11.2017 to the third respondent ventilating their grievance. However, the said representation has not been considered so far. Hence, the petitioner is before this Court with this writ petition.

4. In view of the above, the third respondent is directed to forward the representation of the petitioner dated 22.11.2017 to the first respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the first respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The General Manager,
Southern Railway,
Park Town, Chennai.
2. The Divisional Railway Manager,
Southern Railway, Madurai.
3. The District Collector,
Madurai District, Madurai.

- + 1 CC TO Mr.C.ARUL VADIVEL @ SEKAR, ADVOCATE IN SR No. 93609
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 93836
- + 1 CC TO Mr.A.HAJA MOHIDEEN, ADVOCATE IN SR No. 93681

RR

TE/SKN-RSK/SAR-1 : 22/12/2017 : 2P/7C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in
W.P. (MD) No.23327 of 2017
Dated: 19.12.2017