



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.4761 of 2017
and
W.M.P(MD)No.3805 of 2017

M.Renganathan

.. Petitioner

Vs.

1.National Highway Authority of India
Ministry of Road Transport and Highways,
G.5, 6 Sector, 10, Dwaraka,
New Delhi - 110 075.

2.The District Collector,
Sivagangai District.

3.The Special District Revenue Officer (NH)
(Land Acquisition),
Ramnad District Collector Complex,
Ramnad.

4.The Project Officer (NH),
Subramaniapuram 3rd Street,
Karaikudi, Sivagangai 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 National Highways 49 (Madurai - Rameswaram) without closing the Keeladi Arasanoorni comprised in Survey No.14/1 of Keeladi Village, Tiruppuvum Taluk, Sivagangai District.

For Petitioner

: Mr.M.V.Venkataseshan

For RR 1 and 4

: Mr.N.Shanmuga Selvan
Senior Panel Counsel for
Central Government

For RR 2 and 3

: Mr.M.Govindan,
Special Government Pleader.

**ORDER**

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents not to close the water body mentioned therein, by way of issuing a Writ of Mandamus.

2.Mr.N.Shanmuga Selvan, learned Senior Panel Counsel for Central Government, has taken notice for the respondents 1 and 4 and Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents 2 and 3.

3.The learned counsel appearing for the petitioner has contended that under the guise of laying National Highways, an attempt has been made to close the water body which situates in Survey No.14/1, Keeladi Village, Tiruppuvum Taluk, Sivagangai District. Under the said circumstances on 07.10.2016, a representation has been given, but the same has not been considered and therefore the present Writ Petition has been for getting the relief sought therein.

4.It is seen from the records that on 07.10.2016, a representation has been given, but the same has not been considered. Under the said circumstances, this Court is inclined to pass the following order.

5.In fine, this Writ Petition is allowed without costs and the respondents 1 and 4 are strictly directed to look into the representation, dated 07.10.2016 and dispose of the same within a period of one month. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

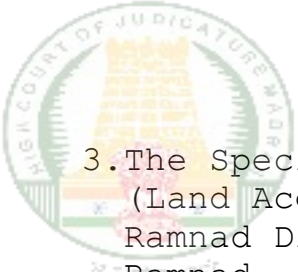
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Sub Assistant Registrar

To

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Ministry of Road Transport and Highways,
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Karaikudi, Sivagangai District.

+1 CC to M/s.M.V.VENKATASESHAN, Advocate, SR No. 16113
+1 CC to M/s.N.SHANMUGA SELVAM, Advocate, SR No. 16223
+1 CC to M/s.THE SPECIAL GOVERNMENT PLEADER, SR No. 17032

PS

PSM/MR/SAR4/24.03.2017/3P/8C

ORDER MADE IN
W.P(MD)No.4761 of 2017 and
W.M.P(MD)No.3805 of 2017
21.03.2017