



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2018

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P.(MD)No.17435 of 2018 and
W.M.P.(MD).No.15336 of 2018

C.Subramaniam

... Petitioner

Vs.

1. The General Manager,
Southern Railway,
Park Town, Chennai.
2. The Divisional Railway Manager,
Madurai Division, Madurai.
3. The Chief Engineer /South
Construction,
Southern Railway,
Egmore.
4. The District Collector,
Virudhunagar,
Virudhunagar District.
5. The District Revenue Officer,
Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from constructing the subway in L.C.No.570/100 in Vandurayapuram Village, Sivakasi Union, Virudhunagar District and consequently, direct the respondents to set up a manned level crossing in L.C.No.570/100 in Vandurayapuram Village, Sivakasi Union, Virudhunagar District, by considering the petitioner's representation dated 03.07.2018 within the time that may be stipulated by this Court.

For Petitioner : Mr.E.Marees Kumar for
M/s.Ajmal Associates
For R4 & R5 : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

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

<https://hcservices.ecourts.gov.in/hcservices/>
The writ petition has been filed for issuance of a writ of Mandamus forbearing the respondents from constructing the subway in L.C.No.570/100 in Vandurayapuram Village, Sivakasi Union,



Virudhunagar District and consequently, direct the respondents to set up a manned level crossing in L.C.No.570/100 in Vandurayapuram Village, Sivakasi Union, Virudhunagar District, by considering the petitioner's representation dated 03.07.2018.

2. Though we are of the *prima facie* view that the writ petition is not maintainable, the learned counsel for the petitioner would submit that the representation made on 03.07.2018, may be directed to be disposed of by the second respondent.

3. Considering the above, we deem it fit to direct the second respondent to consider the representation of the petitioner, dated 03.07.2018 and pass 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. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The General Manager,
Southern Railway,
Park Town, Chennai.
2. The Divisional Railway Manager,
Madurai Division, Madurai.
3. The Chief Engineer /South
Construction, Southern Railway,
Egmore.
4. The District Collector,
Virudhunagar,
Virudhunagar District.
5. The District Revenue Officer,
Virudhunagar,
Virudhunagar District.

+ 1 CC TO M/s.AJMAL ASSOCIATES, ADVOCATE IN SR No. 77586
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 77535

AKV

TE/SKN/SAR-1 : 10/09/2018 : 2P/8C

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W.P. (MD) No.17435 of 2018
06.08.2018