



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.20937 of 2019

R.Saravanan

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Home Department, Secretariat,
St.George Fort, Chennai.
- 2.The District Collector,
District Collector Office,
Thanjavur.
- 3.The Public Works Department (Raodways),
Rep through its Executive Engineer,
Water Resources System,
Kollidam Vadinila Kottam,
Chitambaram-608 001.
- 4.Indian Institute of Technology,
Beside Adyar Cancer Institute,
Sardar Petel Road,
Adyar, Chennai-600 036.

..Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to take necessary steps for the operation of buses in Anaikarai bridge situated at Thiruvidadaimarudur Taluk, Thanajvur District and consequently to direct the fourth respondent to submit their detail inception report on Anaikarai bridge within a time period that may be stipulated by this Court by considering petitioner's representation dated 17.08.2019.

For Petitioner	: Ms.P.Yasmin Begum
For R1 and R2	: Mr.A.K.Baskara Pandian Special Government Pleader

ORDER

[Order of this Court was made by **T.S.SIVAGNANAM, J.**]

Heard Ms.P.Yasmin Begum, learned counsel for the petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader, for the respondents. By consent on either side, this writ petition is

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taken up for final disposal.

2. In the light of the order, we propose to pass in this petition, notice to the respondents 3 to 4 is dispensed with.

3. The petitioner has filed this writ petition praying for a direction upon respondents to take steps for the operation of buses in Anaikarai bridge situated at Thiruvidadaimarudhur Taluk, Thanjavur District.

4. Admittedly, the bridge is more than 180 years old and there was a genuine doubt as regards its stability. Taking note of all these facts, the respondent 2 and 3 have constituted a team to conduct investigation and they availed the service of the fourth respondent, Indian Institute of Technology, Chennai. The learned counsel for the petitioner submits that inspection has been completed at all levels, but till date, no action has been taken to restore the traffic in the area.

5. It is submitted that on account of State Transport Buses and School buses not being permitted to ply on the bridge, the residents and School children are greatly affected. The petitioner does not dispute the fact that the bridge is 180 years old, therefore, the petitioner as a Public Interest Litigant should support the respondents in protecting the bridge. It is no doubt that the concerns of the public have to be addressed. But we cannot issue any positive direction in this regard, as it is for the experts to determine as to whether the bridge is safe to be used by all category of vehicles. The petitioner also does not dispute the fact that as of now cars, auto rikshaws, mini lorries, school vans are permitted to ply by allowing one way traffic in periodical portions.

6. Therefore, we are of the view that the said arrangements shall continue. The authorities namely the respondents 2 and 3 have stated, vide proceedings, dated 27.09.2019, that on receipt of report from the fourth respondent expeditious steps will be taken. Thus, taking note of the above facts, we direct the respondents 2 and 3 to take expeditious steps on receipt of the report from the fourth respondent.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)



To

- 1.The Principal Secretary to Government,
Home Department, Secretariat,
St.George Fort, Chennai.
- 2.The District Collector,
District Collector Office,
Thanjavur.
- 3.The Executive Engineer,
Public Works Department (Raodways),
Water Resources System,
Kollidam Vadinila Kottam,
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- 4.Indian Institute of Technology,
Beside Adyar Cancer Institute,
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Adyar, Chennai-600 036.

+1CC TO MR.P.YASMIN BEGAM, Advocate Sr. No.90337
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 90581

ORDER MADE IN
W.P. (MD) No.20937 of 2019
27.09.2019

AVS (CO)
TR(22.10.2019) 3P 7C