



WEB COPY

W.P(MD)No.22175 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.22175 of 2019

and

W.M.P. (MD)No.18972 of 2019

Mariappan

.. Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Superintending Engineer,
National Highways Department,
Collectorate Office Campus,
Tiruppur.

.. 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 more particularly the second respondent to take appropriate action for constructing an under bridge in the four road of Tiruppur-Oddanchathram at Thangatchiammapatti Village by considering the representation dated 04.09.2019 sent to the respondents.

For Petitioner	: Mr.D.Venkatesh
For R1 and R2	: Mr.A.Muthukaruppan
	Additional Government Pleader

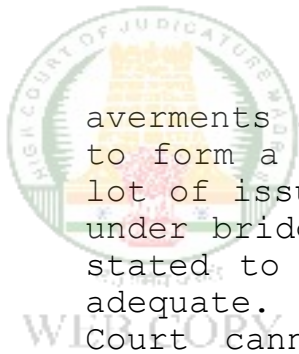
ORDER

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

Heard Mr.D.Venkatesh, learned counsel for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader for the official respondents. By consent on either side, this writ petition is taken up for final disposal.

2. The petitioner by way of this Public Interest Litigation seeks for construction of under bridge in the four way road of Tiruppur-Oddanchathram at Thangatchiammapatti Village by considering the representation, dated 04.09.2019.

3. It cannot be disputed by the petitioner that more than 90% of the work has already been completed. Further more, from the



averments set out in the representation, no direction can be issued to form a under bridge as sought for by the petitioner. There are lot of issues, which have to be considered before deciding to form a under bridge or under pass. Hence, we find that the representation stated to be given by the petitioner and others is thoroughly in adequate. That apart, when technical matters are involved, this Court cannot interfere with such matter, which may cause gross arbitrariness and illegality. Nothing in this regard has been pointed out before us in this writ petition.

4. For the above reasons, we cannot issue any positive direction in this writ petition. Accordingly, this writ petition is dismissed. However, we direct the petitioner to pursue his representation before the authorities competent. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar(CS)

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To

1.The District Collector,
Dindigul District.

2.The Superintending Engineer,
National Highways Department,
Collectorate Office Campus,
Tiruppur.

+1 CC to M/s.D.VENKATESH, Advocate (SR-93442[F] dated 22/10/2019)

+1 CC to M/s.SPL GP (SR-93571[F] dated 22/10/2019)

W.P(MD)No.22175 of 2019

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