



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.(MD) No.25363 of 2019

A.Ilango

Petitioner

Vs

1. The Executive Engineer
Public Works Department
Sarukaniaru Water Resources Division
Sivagangai
2. The Assistant Executive Engineer
Public Works Department
Sarukaniaru Water Resources Sub-Division
Manamadurai
Sivagangai District

Respondents

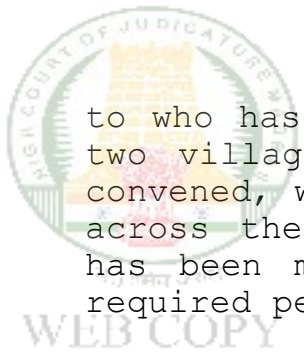
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 to permit the petitioner to put up a bridge across the Keelapasalai Supply Channel in Survey No.217/1B, Manamadurai town, Sivagangai District, pursuant to his representation dated 19.06.2018.

For Petitioner : M/s.R.Anand
For Respondents : Mr.M.Rajarajan
Government Advocate

O R D E R

This Writ Petition is filed by the petitioner to direct the respondents 1 & 2 to permit the petitioner to put up a bridge across the Keelapasalai Supply Channel in Survey No.217/1B, Manamadurai town, Sivagangai District, pursuant to his representation dated 19.06.2018.

2. The petitioner has moved this Court by filing this Writ petition having been aggrieved by the fact that he has not been granted permission by the respondent for putting up a bridge across the Keelapasalai Supply Channel in Survey No.217/1B, Manamadurai Town, Sivagangai District. It is stated that in the year 2017, the National Highways Authority has acquired lands in and around Manamadurai Taluk, for the purpose of laying four way lane and while doing so, the Kepparpattinam Village, cemetery have also been acquired. The said acquisition of lands has caused impact on approaching the petitioner's land through the road. Since at the relevant point of time, there was a misunderstanding prevailing, as



to who has to give the site for having ingress and egress, between two village people, on 01.03.2017, a peace committee meeting was convened, where in it was decided that a bridge would be constructed across the Keelapasalai Supply Channel. Therefore, the petitioner has been making every effort to put up a bridge, for which the required permission has not been granted.

3. Based on the petitioner's representation dated 19.06.2018, the National Highways Authority of India addressed a letter dated 19.06.2018 to the farmers of Krishnarajapuram, Manamadurai, Sivagangai District stating that as per resolution of the peace committee meeting, it is decided to construct a bridge through Public Works Department (Water Resources Division) and accordingly, they are requested to approach the Public Works Department (Water Resources Division). In a letter dated 24.12.2018 addressed by the Assistant Executive Engineer, Public Works Department (Water Resources Division), Manamadurai, it is stated that after the inspection of the petition mentioned survey No.217/B, the petitioner was permitted to put up a bridge at his own cost, subject to compliance of certain conditions, for carrying his agricultural produces, fertilizers etc., Though the petitioner has complied all the conditions, even after a lapse of one year, there was no response from the second respondent.

4. The learned Government Advocate says that there is a Public Interest Litigation pending in this regard. However, particulars with regard to the same have not been furnished by him. Be that as it may, the second respondent herein is directed to consider the sanction for construction of a bridge to be put up by the petitioner at his own costs, based on the recommendation of the Assistant Engineer. The second respondent is also directed to afford an opportunity for personal hearing of the petitioner before he passes any order. Such exercise shall be completed within a period of six weeks from the date of receipt of copy of this letter.

5. With the above observation and direction, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS)

vrn



To

1. The Executive Engineer
Public Works Department
Sarukaniaru Water Resources Division
Sivagangai

2. The Assistant Executive Engineer
Public Works Department
Sarukaniaru Water Resources Sub-Division
Manamadurai
Sivagangai District

+1 CC to M/s.R.ANAND, Advocate (SR-103726[F] dated 05/12/2019)

W.P. (MD) No.25363 of 2019

05.12.2019

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