



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) No.10895 of 2020

V.Jeya Kumar

... Petitioner

Vs.

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Home Department, Fort St.George,
Secretariat, Chennai - 600 009.

2.The Divisional Engineer,
O/o. the Divisional Engineer,
Highway Project, Alagar Kovil Road,
Thamaraitotti, Madurai.

3. The District Collector,
O/o. the District Collector,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 07.11.2019.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.R.Murugan,
Addl.Government Pleader

O R D E R

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

This Court, in continuation and conjuncture with the earlier order dated 04.09.2020, is passing the following order.

2. The second respondent has filed counter affidavit with supporting documents and the contents of the same would read among

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other things that the Government has accorded administrative sanction for Rs.18.18 Crore for Railway Over Bridge (ROB) in Railway Crossing Solavandan-Valaiapatti Road on 04.03.2016 and thereafter, the contract was awarded to one Mr.Vetrivel of Madurai and the agreement was also executed for this work.

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3. The contractor has completed the main bridge works and however, the approach road and service road works could not be completed on the account of the challenge made to the land acquisition in ***The Caritas India, rep. by Diocesan Director vs. Union of India, Department of Law and Justice, rep. by its Secretary, New Delhi and Ors.***, in W.P.No.22448 of 2018 and batch etc.,

4. It is further stated that the difficulty expressed had been resolved and the lands are handed over to the Highways Department on 03.08.2020 and in the light of the difficulties faced by the road users, black topping on the road has also been done and it has been made as a motorable road.

5. The learned Additional Government Pleader would also assures that till the entire Railway Over Bridge (ROB) is completed, the service and other approach roads would be maintained in a proper and road worthy condition and the said submission is taken on file and recorded.

6. In the light of the same, no further orders are necessary in this writ petition and therefore, **this writ petition is closed.** No costs.

7. Call on **19.11.2020**, for filing the status report as to the progress being made in Railway Over Bridge (ROB) work.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned



To

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Secretariat, Chennai - 600 009.

2.The Divisional Engineer,
O/o. the Divisional Engineer,
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Thamaraitotti, Madurai.

3. The District Collector,
O/o. the District Collector,
Madurai District.

+1 CC to M/s.Special Govt.Pleader (SR-17967[F] dated 24/09/2020)

W.P. (MD) No.10895 of 2020

23.09.2020

pkn

SDS (30.09.2020) 3P-5C