



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.14773 of 2021
and W.M.P.No.15658 of 2021

A.Nirmalraj .. Petitioner

Vs.

1. The District Collector,
Thiruvallur District.

2.The Managing Director,
Chennai Metro Rail Ltd., CMRL Depot,
Poonamallee High Road, Koyambedu,
Chennai 600 107.

3.The Director (Projects)
Chennai Metro Rail Ltd., CMRL Depot,
Poonamallee High Road, Koyambedu,
Chennai 600 107.

4.The District Revenue Officer,
(Land Acquisition), Chennai Metro Rail Ltd.,
CMRL Depot, Poonamallee High Road,
Koyambedu, Chennai 600 107.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to relocate the station entrance / exit point (Northern side) to any other place which effects the public road namely MGR Nagar road and habitations.

For Petitioner : Mr.R.Dhinesh Kumar

For Respondents : Mr.P.Muthukumar,
Counsel for State,
for 1st respondent

ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner complains of the proposed location of the entrance/exit structure of the Kattupakkam Station on Corridor 4 in Phase-2 of the Chennai Metro Rail Project. The petitioner



states that the Chennai Metro Rail Corporation has commenced Phase-2, of which Corridor-4 consists of 30 stations, including Kattupakkam. The petitioner alleges that the location of the entrance/exit structure on the northern side affects road access for the general public. In spite of submitting a representation on 10.02.2020 to the District Collector, Tiruvallur District, it is stated that no action has been taken thereon. The writ petition is filed under these facts and circumstances.

2. Mr.Muthukumar, learned counsel for the State, accepts notice for the first respondent.

3. The decision as to the location of an entrance/exit structure is made after taking into consideration multiple aspects, including the convenience of the general public. These are matters that should be decided by persons with the requisite domain knowledge. Therefore, a mandamus cannot be issued for re-location of such entrance/exit structure.

4. Nonetheless, without going into the merits of the matter, the petitioner is granted leave to submit a fresh representation to the Chennai Metro Rail Corporation and also to the land acquisition authority. Such representation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the authorities concerned are directed to consider such representation and dispose of the same by a reasoned order after providing a reasonable opportunity both to the petitioner and to any other persons affected thereby. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of a copy of such representation.

5. W.P.No.14773 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

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To:

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Tiruvallur District.

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+1 cc to Government Pleader Sr.No. 34045

W.P.No.14773 of 2021

MG(CO)
B.VC(22.07.2021)