

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.13132 of 2021

Makkal Nalavazhvu Sangam Krishnagiri

(Regn No.193 /2018)

Rep. by its Secretary C. Siraj

No.1/62 Poosaripatti

Peddathalapalli Post

Krishnagiri District.

.... Petitioner

Vs

1 National Highways Authority
of India Rep. by its Regional Officer
Chennai Region Sri Tower 3rd Floor No.34
Industrial Estate Guindy Chennai 600 032.

2 The Project Director
National Highways Authority of India No.259
Salem Main Road Near K.A.K.C. Petrol Bunk
Krishnagiri 635 001.

3 The District Collector
Krishnagiri District
Krishnagiri - 635 001.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner Sangam dated 15/ 02/2021 with regard to minor change in the location of Vehicle Under Pass (VUP) from Sikkarimedu to existing Pollupalli Inter Junction which is Near Medical College Hospital 200 mts towards Krishnagiri in National Highway -7 Krishnagiri - Hosur Krishnagiri District.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.Su.Srinivasan,
for respondents 1 and 2
Mr.P.Muthukumar,
Government counsel,
for third respondent

ORDER
(made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner seeks a change in the location of the vehicle underpass from Sikkarimedu to the existing Pallupalli Inter Junction at Krishnagiri District.

2. The petitioner states that the location currently chosen for the vehicle underpass is not in consonance with the guidelines issued by the Indian Road Congress. It is further stated that no work has been carried out for construction of the vehicle underpass at the location currently chosen for such purpose. The petitioner submitted multiple representations including a recent representation dated 15.02.2021, to consider the change in the location of the vehicle underpass. But no action has been taken on such representations.

3. Mr.Su.Srinivasan, learned standing counsel for the National Highways Authority of India, (the NHAI) accepts notice for respondents 1 and 2. Mr.Muthukumar, learned Government counsel, accepts notice for the third respondent. Mr.Srinivasan states that the representation would be duly considered and disposed of by the second respondent.

4. The appropriate location for a vehicle underpass is a matter to be considered and decided upon by the NHAI and this Court is not inclined to grant any positive direction in such regard.

5. Nevertheless, without going into the merits of the matter, the second respondent is directed to consider the representation dated 15.02.2021 of the petitioner and dispose of the same by a reasoned order within a period of eight weeks from the date of receipt of a copy of this order. In case the petitioner intends to submit any documents in support of the representation, the petitioner is granted leave to do so within a period of two weeks from the date of receipt of a copy of this order.

6. W.P.No.13132 of 2021 is disposed of in these terms without any order as to costs. Consequently, W.M.P.No.13943 of 2021 is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1 The Regional Officer,
National Highways Authority of India
Chennai Region Sri Tower 3rd Floor No.34
Industrial Estate Guindy Chennai 600 032.
- 2 The Project Director
National Highways Authority of India No.259
Salem Main Road Near K.A.K.C. Petrol Bunk
Krishnagiri 635 001.
- 3 The District Collector
Krishnagiri District
Krishnagiri - 635 001.

+1cc to Mr.Jothimanian, Advocate, S.R.No. 28979
+1cc to the Government Pleader, S.R.No. 29056

W.P.No.13132 of 2021

MG (CO)
GN(30/06/2021)



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