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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.10282 of 2021

and

WMP (MD) .No.7970 of 2021

Karuppasamy

... Petitioner

Vs

1. The District Collector,
Dindigul, Dindigul District.

2. The Deputy General Manager/
Project Director,
(Oddanchatram Bye-pass Road),
National Highways,
Plot No.1, Indra Nagar,
Chennammanayakenpatti Post,
Dindigul- 4,
Dindigul District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, forbearing the respondents from damaging or removing the public road that is the Naganampatti-Kuttalnayakanpatti connection road which is the only road bearing survey No.380 and 398 of Oddanchatram Village, Dindigul District available to the petitioner's village which connect to other villages by considering the representation of the petitioner dated 31.05.2021.

For Petitioner

: Mr.S.C.Herold Singh

For respondents

: Mr.S.Srinivasan,
CGSC for R2
Mr.R.Baskaran,
Government Counsel
for R1

ORDER

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

We have heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner; Mr.S.Srinivasan, learned Central Government Standing Counsel appearing for the second respondent and Mr.R.Baskaran, learned Government Counsel appearing for the first



respondent.

2. The writ petitioner has come forward with this writ petition, styled as a public interest litigation, alleging that there is a likelihood of damage to the existing public road.

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3. On a reading of the representation, it appears that the petitioner and others apprehend that there will be a diversion of rain water, consequently the thar road will be damaged.

4. In any event, this is a matter where the authorities have to take a call and we cannot issue any positive direction in the writ petition. Accordingly, we direct that the representation given by the petitioner to be examined by the second respondent-the Deputy General Manager/Project Director, NHAI, and the District Collector, Dindigul District, may nominate one of the Tahsildars of the area, who can conduct an inspection and take a decision in this matter.

5. With the observation, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

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:

1. The District Collector,
Dindigul, Dindigul District.
2. The Deputy General Manager/
Project Director,
(Oddanchatram Bye-pass Road),
National Highways,
Plot No.1, Indra Nagar,
Chennammanayakenpatti Post,
Dindigul- 4,
Dindigul District.

+1 CC to M/s.SPL GP (SR-19946[F] dated 22/06/2021)



+1 CC to M/s.SU.SRINIVASAN, Advocate (SR-19814[F] dated
22/06/2021)

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-19817[F] dated
22/06/2021)

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W.P. (MD) No.10282 of 2021
21.06.2021

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