



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.NO.995 OF 2021

Ajay Francis Loyola

... Petitioner

.Vs.

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai - 9.
2. The Secretary
Ministry of Housing and Urban Affairs,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai - 9.
3. The Commissioner of Police,
No.132, Commissioner Office Building,
KVK Sampath Road, Vepery,
Periyamet, Chennai - 7.
4. The Addl. Commissioner of Police Traffic,
No.132, Commissioner Office Building,
KVK Sampath Road, Vepery,
Periyamet, Chennai - 7.
5. The Chennai Metro Rail Limited Depot,
Admin Building,
Poonamallee High Road,
Koyambedu.
6. The Regional Officer,
National Highways Authority of India,
(Ministry of Road, Transport and Highways),
SRI TOWER, 3rd floor,
DP - 34 (SP), Industrial Estate,
Guindy, Chennai - 32.



7. The Greater Corporation of Chennai,
No.1131, EVR Periyar Salai,
Park Town, Chennai - 3.

8. The Chennai Metropolitan Development Authority,
Thalamuthu Natarajan House,
No.1, Gandhi Irwin Road,
Ansari Estate,
Egmore, Chennai - 8.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus seeking from respondents 1 to 8 to ensure that the life of the general public is not harmed in any way and/or by building a temporary bridge.

For Petitioner : Ms.Priya Annie Zachariah

For Respondents : Mr.P.Muthukumar
State Government Pleader
For R1 to R4

Mr.Jayesh B.Dolia for R5

M/s.Karthikaa Ashok for R7

M/s.P.Veena Suresh for R8

No appearance for R6

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The writ petition has been filed seeking a direction to the respondents to ensure that the life of the general public not be harmed in any manner, by building a temporary bridge.

2. Learned counsel for the petitioner submits that though the subway has already been constructed, it is not in operation in the absence of inauguration. In the circumstances, a direction be given to the respondents to inaugurate the subway, so that it is put to use for the general public.



3. Learned counsel appearing for the fifth respondent submits that subway has been put to use for the public without inauguration, as it is not required for a subway. In view of the above, the writ petition has become infructuous.

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4. We have considered the submissions made by the parties and find that the grievance raised by the petitioner regarding the non-completion of subway or not putting it to the use of the public no more survives as the subway has been put to use without inauguration. As per the statement of learned counsel for the fifth respondent, the public is using the subway.

5. In view of the above, the writ petition has become infructuous and it is accordingly dismissed. There will be no order as to costs. Consequently, WMP No.1092 of 2021 is also dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kpl/drm

To

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Chennai - 8.

+1cc to M/s.P.Veena Suresh, Advocate, S.R.No.1230
+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.762
+1cc to M/s.Jayesh and Dolia, Advocate, S.R.No.922
+1cc to the Government Pleader Sr.No.1146 (27/05/2022)

W.P.NO.995 OF 2021

AD(CO)
PBS/11/01/2022