



CONT.P(MD)No.676 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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in

W.P.(MD)No.8211 of 2019

Federation for Retrieval of Trichy,
Palpannai – Thuvakkudi Service Road,
By its Organizer, M.Shanmugam,
10th Cross East, Balaji Nagar,
Trichy – 19.

: Petitioner

Vs.

1.Alka Upadhyaya, I.A.S.,
Chairman,
National Highways Authority of India Ltd.,
G 5 & 6, Sector – 10,
Dwarka, New Delhi – 110 075.

2.U.Udhayasankar,
Project Director,
National Highways Authority of India Ltd.,
No.54, I Floor, Natarajapuram Colony,
Medical College Road, Thanjavur – 613 004.



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3.C.Jayashree,

The Authorized Officer cum
Special District Revenue Officer,
NH 67 C – Thanjavur – Tiruchirappalli,
District Collector Office Complex,
Trichirappalli – 1.

: Contemnors

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the contemnors / respondents 1, 2 and 5 for their willful disobedience of the order passed by this Court in W.P. (MD)No.8211/2016 dated 15.10.2019.

For Petitioner : Mr.D.Gurusamy

For Respondent No.1 : Mr.R.Rajagopal

Standing Counsel

For Respondent No.3 : Mr.A.K.Manikkam

Special Government Pleader

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

The petitioner filed a Public Interest Litigation in W.P.(MD) No.8211 of 2016 and 18245 of 2014 for various reliefs including for quashing G.O.Ms.No.57, Highways and Small Ports (H.VI) Department



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dated 20.05.2014, and for a further direction to the respondents therein to initiate the formation of a service road from Trichy Palpannai to Thuvakkudi to an extent of 14.5 kms. This writ petition came to be finally disposed of by a Division Bench of this Court on 15.10.2019, wherein in paragraph No.14 it has been observed as follows:

“14.Considering the fact that the matter has unnecessarily been dragged on from the year 2014, which in our considered opinion, without any valid cause, it is a high time for the National Highways Authority to take expeditious steps to complete the above exercise and we hope and trust that the service road will be formed within a period of six months from today (ie. 15.10.2019).”

2.Alleging that the respondents have not complied with the aforesaid directions issued in paragraph No.14, the present contempt petition has been filed.

3.Today, when the matter was taken up for hearing, learned Special Government Pleader appearing for the third respondent brought to our notice that when the respondents initiated acquisition proceedings for laying the service road, the aggrieved land owners approached this Court in W.P.(MD)Nos.1833, 1840 and 1845 of 2021, in which a learned Single Judge



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has granted an order of *status quo* on 04.02.2021 and the same is still in force.

4.In such view of the matter, the respondents cannot be blamed for not complying with the aforesaid directions of the Division Bench. That apart, even in paragraph No.14, the Division Bench has not given any positive direction to put the service road but had only placed on record its fond hope and trust that the service road would be built within a period of six [6] months from 15.10.2019. Unfortunately, this fond hope that was expressed by the Division Bench stood dashed by the subsequent litigations that have been initiated by the aggrieved land owners.

5.Recording the same, this Contempt Petition stands closed with liberty to the petitioner to work out its remedy in the manner known to law.

[P.N.P., J.] & [R.V., J.]

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Index : Yes / No

Internet : Yes / No

MR



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To

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G 5 & 6, Sector – 10,
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ORDER MADE IN
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