



W.P.(MD)No.15523 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.15523 of 2022

and

W.M.P.(MD)No.11182 of 2022

G.Abinaya

... Petitioner

Vs.

1.The Principal Secretary to Government,
Highways and Minor Ports (HS2) Department,
Government of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai-600 009.

2.The Chief Engineer Highway Projects,
Integrated Chief Engineer Office,
76, Sardar Patel Road,
Guindy,
Chennai-600 0225.

3.The Divisional Engineer Highways Projects,
Perumalpuram,
Tirunelveli-627 007.

4.The District Collector,
Virudhunagar District,
District Collectorate Office,
Sattur Road,



W.P.(MD)No.15523 of 2022

WEB COPY

Virudhunganar-626 002.

5.The District Revenue Officer,
Virudhunagar District,
Collectorate,
Sattur Road,
Virudhunagar-626 002.

6.The Special Tahsildar,
Land Acquisition Projects,
Sivakasi,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to drop the new proposal of link road as per G.O(Ms).No.62, Highways and Minor Ports (HS2) Department dated 02.05.2022 to form the link road between Rajapalayam-Sankarankovil-Tirunelveli Road (SH41-Rajapalayam New Bus Stand) to Thirumangalam-Kollam Road (NH 744-Rajapalayam Government Hospital) in Virudhunagar District and to form the link road as per the earlier proposal made by these respondents earlier.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.K.Balasubramani

Special Government Pleader

ORDER

Heard the learned counsel on either side.



W.P.(MD)No.15523 of 2022

WEB COPY

2. The writ petition has been couched in the form of writ of mandamus. It is not for this Court to give direction to the authorities concerned to form a road in a particular fashion. That is beyond the jurisdiction of the writ Court. The Court is not possessed of the requisite expertise.

3. If the petitioner's rights are affected, then, he can definitely file a petition in the form of writ of certiorari and the Court will definitely consider all the contentions of the petitioner then. The Writ Petition as it has been framed is not maintainable. Leaving open the rights and remedies of the writ petitioner and granting liberty to file a fresh writ petition on the same cause of action, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

18.07.2022

Index : Yes / No
Internet : Yes/ No
rmi



W.P.(MD)No.15523 of 2022

WEB COPY

- To
- 1.The Principal Secretary to Government,
Highways and Minor Ports (HS2) Department,
Government of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai-600 009.
 - 2.The Chief Engineer Highway Projects,
Integrated Chief Engineer Office,
76, Sardar Patel Road,
Guindy,
Chennai-600 0225.
 - 3.The Divisional Engineer Highways Projects,
Perumalpuram,
Tirunelveli-627 007.
 - 4.The District Collector,
Virudhunagar District,
District Collectorate Office,
Sattur Road,
Virudhungar-626 002.
 - 5.The District Revenue Officer,
Virudhunagar District,
Collectorate,
Sattur Road,
Virudhunagar-626 002.
 - 6.The Special Tahsildar,
Land Acquisition Projects,
Sivakasi,
Virudhunagar District.



WEB COPY



W.P.(MD)No.15523 of 2022

G.R.SWAMINATHAN,J.

rmi

W.P.(MD)No.15523 of 2022

18.07.2022