

W.P.(MD) No.16354 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.(MD) No.16354 of 2015
and
M.P.(MD) No.1 of 2015**

K.Ramiah

... Petitioner

-vs-

- 1.The State of Tamil Nadu
rep.by through its Secretary to Government
Highways & Minor Ports Department
Fort St.George, Chennai-600 009
- 2.The Executive Engineer / Highway Authority
(Construction & Maintenance)
Madurai Highways Division
Madurai
- 3.The Divisional Engineer
(NABARD & Rural Roads)
Madurai District
- 4.The District Collector
Madurai District

5.The Block Development Officer
Kallikudi Panchayat Union
Madurai District

6.The Assistant Engineer
Kallikudi Panchayat Union
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents herein not to allow the heavy vehicles of lorries and trucks carrying heavy loads through Ulagani - Kombadi Village rural roads and consequently maintain the Ulagani - Kombadi Village rural roads fit for plying light motor vehicles for user of the public.

For Petitioner : Mr.P.Mahendran

For Respondents : Mr.V.Nirmal Kumar
Government Advocate

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents not to allow the heavy vehicles of lorries and trucks carrying heavy loads through Ulagani - Kombadi Village rural roads and consequently, to maintain the Ulagani - Kombadi Village rural roads fit for plying light motor vehicles for the use of the general public.

2. When the matter was taken up for hearing, the learned Government Advocate appearing for the respondents submitted that at the time of filing of this writ petition, the subject road *viz.* Ulagani – Mombadi Road was a rural road and it was maintained by the Rural Department. However, subsequent to the filing of this writ petition, the said road was sanctioned for upgradation to the standard of Other District Road (ODR), *vide* G.O.No.(2D) 46/Highways & Minor Ports (HF1) Department, dated 15.10.2019 and was handed over to the Highways Department. Thereafter, the NABARD and Rural Road and Division, Highways, Madurai, carried out the upgradation work and completed the work during November, 2020. As on date, the said road is in ODR standard and it has been maintained by the Highways Department. To that effect, the learned Government Advocate produced a report issued by the Assistant Divisional Engineer (Highways, C&M, Thirumangalam.

3. In view of the aforestated subsequent development, no further adjudication is required in respect of the grounds raised in this writ petition.

4. Accordingly, the writ petition is closed. No costs.

Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]

08.09.2022

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Secretary to Government ,
Highways & Minor Ports Department,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Executive Engineer / Highway Authority,
(Construction & Maintenance),
Madurai Highways Division,
Madurai.
- 3.The Divisional Engineer,
(NABARD & Rural Roads),
Madurai District.
- 4.The District Collector,
Madurai District.
- 5.The Block Development Officer,
Kallikudi Panchayat Union,
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