



W.P.(MD).No.26056 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26056 of 2022

Dr.V.Nithya

... Petitioner

VS.

- 1.The Divisional Engineer,
Highways Department,
Construction & Maintenance
Thoothukudi.
- 2.The Assistant Divisional Engineer,
Highways Department,
Construction & Maintenance Wing,
Thiruchendur.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Thiruchendur.
- 4.The Tahsildar,
Taluk Office,
Thiruchendur.
- 5.The Inspector,
Thiruchendur Temple Police Station,
Thiruchendur.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to take appropriate actions for providing necessary guidance and protection for laying service road by the petitioner in Survey No.462/1B2, on the right hand side of the Thoothukudi-Tiruchendur-Kanyakumari Highway (KM 40/4), as per the permission granted vide letter dated 09.03.2018 in Letter No.786/2018/இவஅ3 of the 1st respondent and considering the petitioner's representation dated 26.10.2022 sent to the respondents within a time frame fixed by this Court.

For Petitioner	: Mr.I.Suthakaran
For R1 to R4	: Mr.D.Gandhiraj Special Government Pleader
For R5	:Mr.B.Thanga Aravindh Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to take appropriate action for providing necessary guidance and protection for laying service road by the petitioner in Survey No.462/1B2, on the right hand side of the Thoothukudi-Tiruchendur-Kanyakumari Highway (KM 40/4), as per the



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permission granted vide letter dated 09.03.2018 in Letter No. 786/2018/இவஅ3 of the 1st respondent and considering the petitioner's representation dated 26.10.2022 sent to the respondents.

2. The grievance of the petitioner is that she has sent a representation dated 26.10.2022, to the respondents seeking to provide appropriate guidance and protection for laying service road in Survey No.462/1B2, since it is lying on the busy highway. The said representation is duly received by all the respondents as early as on 27.10.2022. But so far no action has been taken by the respondents. Hence, the present writ petition has been filed.

3. Heard Mr.I.Suthakaran, learned counsel appearing for the petitioner, Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents 1 to 4 and Mr.B.Thanga Aravindh, learned Government Advocate appearing for the fifth respondent.



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4. Considering the above facts, this Court, without expressing any opinion on the merits of the matter, directs the respondents 1 and 2 to consider the petitioner's representation dated 26.10.2022 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

17.11.2022

Index:Yes/No
Internet:Yes/No

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To

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V.BHAVANI SUBBAROYAN,J.

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