



W.P.No.2107 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2023

CORAM

**THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.2107 of 2023

L.Sriraman

.. Petitioner

-VS-

1. State of Tamil Nadu,
Rep.by its Secretary to Government,
Highways and Minor Ports Department,
Fort St. George, Secretariat, Chennai-600 009.
2. The Collector,
Salem District, Salem.
3. The Director of Town Panchayats,
Raja Annamalaipuram, Santhome,
Chennai-600 028.
4. The Chief Engineer (Highways),
NABARD and Rural Roads,
No.76, Sardar Patel Road,
Guindy, Chennai 600 025.
5. The Divisional Engineer (Highways),
NABARD and Rural Roads,
Hasthampatti, Salem District, Salem-7.
6. The Assistant Divisional Engineer (Highways),
NABARD and Rural Roads, Old Naatamai
Kazhaga Building, Salem District, Salem-1.



W.P.No.2107 of 2023

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7. The Assistant Director of Town Panchayats,
Salem Region, District Collectorate,
Salem District.

8. The Tahsildar,
Pethanaickenpalayam Taluk,
Pethanaickenpalayam 636 109,
Salem District.

..Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to construct the over bridge in the Vashisthar river (S.Nos.86/1 and 89/1) between the S.Nos.87/1 to 40/1 of Chinnamasamuthiram Village, Pethanaickenpalayam Taluk, Salem District, to the extent of 125 Meters to reach Pethanaickenpalayam Town Panchayat.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.P.Muthukumar
State Govt. Pleader

* * * * *

ORDER

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

Mr.L.Sriraman, S/o.Lakshmana Gounder, has filed this writ petition under Article 226 of the Constitution of India for issuance of



W.P.No.2107 of 2023

Writ of Mandamus to direct the respondents herein to construct a overbridge in the Vashisthar river (S.Nos.86/1 and 89/1) between the S.Nos.87/1 to 40/1 of Chinnamasamuthiram Village, Pethanaickenpalayam Taluk, Salem District, to the extent of 125 meters to reach Pethanaickenpalayam Town Panchayat.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a resident of Chinnasamuthiram Revenue village and there are 700 families and more than 2000 villagers are residing in the said village. There is no bus facility in the village, whereas the bus and transport facilities are available only from Pethanaickenpalayam, which is about 2 kms away from the petitioner's village. Therefore, most of the villagers who are working at Salem, Valapadi, Attur, Chinna Salem, Kallakurichi and other towns are finding it very difficult to cross the river called 'Vashisthar Nathi', which is flowing through Kurchi, Dhumbal, Belur, Yethapur, Pethanaickenpalayam and all other places. The petitioner's villagers were going out of the village only by crossing the above Vashisthar river. Although there is a road, it is not directly connected to Pethanaickenpalayam and the same is joined in the river and the



W.P.No.2107 of 2023

villagers have to go by walk in the river for about 125 meters. During the rainy season, the children going to school and college in addition to the villagers even the officials are facing great difficulty to reach Pethanaickenpalayam. Therefore, all the villagers, school-going children are crossing the river even during rainy season with the help of a rope, which is dangerous and there is no guarantee for their lives also. Therefore, the petitioner and the villagers have made a number of representations to the respondents dated 11.07.2022, 13.07.2022, 18.07.2022, 05.09.2022, 06.09.2022 and 07.09.2022 requesting them to construct an overbridge on Vashisthar River on S.Nos.86/1 and 89/1, that is between S.Nos.87/1 and 40/1 of Chinnasamuthiram village to an extent of 125 meters. Now that S.Nos.86/1 and 89/1 are also classified as river in the revenue records, therefore, there is no impediment for the respondents from constructing the over bridge in the river belongs to the revenue department.

3. The learned State Government Pleader appearing for the respondents, after taking notice, has filed a detailed status report dated 03.02.2023. Explaining the stand taken in the said report, the learned State Government Pleader submitted that at present a bridge



W.P.No.2107 of 2023

work is taken up under NABARD and Rural Roads wing along the Vashisthar river and the site of the petitioner (Ward-1) in Highways road ODR (Chinnasamuthiram-AD Colony road). This Highway ODR has sufficient formation width of 7.50 meters for constructing a high level bridge and it connects all the four wards of Chinnasamuthiram and Kalichettiur villages for which a technical sanction was also accorded for a sum of Rs.674.65 lakhs and an agreement also has been executed and the work is going to commence. This will benefit all the people in the four wards of Chinnasamudram Kudi Street (the petitioner's ward No.1), Chinnasamudram Pallar Street, Kalichettiur and Palandiyur. Therefore, if the construction of the bridge as proposed is complete, the villagers of the petitioner's village may have to travel a distance of only 0.545 kms. and therefore, the petitioner may not have anymore grievance.

4. In view of the submission of the learned State Government Pleader based on the status report that since a bridge work is taken up under the NABARD and Rural Roads wing along the Vashisthar river and the site of the petitioner (Ward-1), which is just 0.545 meters away from the petitioner's place where he wanted to have an



W.P.No.2107 of 2023

overbridge, we find that the grievance of the petitioner has been sufficiently redressed.

Accordingly, the writ petition is disposed of. No costs.

(T.R., ACJ.) (D.B.C., J.)
29.03.2023

Speaking/Non-speaking order

Index : Yes / No

Internet : Yes / No

sra

To

1. The Secretary to Government of Tamil Nadu,
Highways and Minor Ports Department,
Fort St. George, Secretariat, Chennai-09.
2. The Collector, Salem District, Salem.
3. The Director of Town Panchayats,
Raja Annamalaipuram, Santhome,
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Page 6 of 8



W.P.No.2107 of 2023

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6. The Assistant Divisional Engineer (Highways),
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W.P.No.2107 of 2023

T.Raja, ACJ.
and
D.Bharatha Chakravarthy, J.

(sra)

W.P.No.2107 of 2023

29.03.2023