



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26016 of 2023
and W.M.P. No.25441 of 2023

G.Gnanasekar Devadason

... Petitioner

Vs.

1. The Principal Secretary
Highways and Minor Ports Department
Secretariat, Chennai – 600 009.

2. The District Collector
Chengalpettu District

3. The Superintending Engineer
Office of the Superintending Engineer (H),
Chengalpettu District.

4. The Divisional Engineer
Construction and Maintenance Department,
State Highway Department,
Chengalpattu District.

... Respondents

Prayer: writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from in anyway constructing the culvert opposite to (in front of) S.No.150 in Paiyanur Village, Thiruporur Taluk, Chengalpattu District.



For Petitioner : Mrs. Reshmi Christy

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to forbear the respondent from in anyway constructing the culvert opposite to (in front of) S.No.150 in Paiyanur Village, Thiruporur Taluk, Chengalpattu District.

2. The road widening projects are in progress in Paiyanur Village, Thiruporur Taluk, Chengalpattu District. The petitioner is owning a land in S.No.150/2A, 150/3, 150/11, 150/12, 150/13, 150/14 and 150/15A1 of Paiyanur Village, Thiruporur Taluk, Chengalpattu District to an extent of 0.89 acres. The petitioner purchased the land in the year 2022 and in possession and enjoyment of the same.

3. The respondents are constructing culvert for the purpose of widening the road. The petitioner has no locus to question the public projects, unless the lands are acquired or the pathway has been completely closed. It is not dispute that the petitioner is owning a larger extent of land.



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4. The learned Additional Government Pleader made a submission that the existing culvert in that locality would be insufficient. Therefore, widening the culvert will not cause any hindrance to reach the property of the petitioner.

5. If at all any other grievance exists, the petitioner may approach the authorities for the purpose of redressal of the same. Contrarily in the present writ petition, the relief as such sought for if granted would cause prejudice to the public projects. Thus, the petitioner has not made out any acceptable ground for the purpose of entertaining the writ petition.

6. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes
Speaking order



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To

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S.M.SUBRAMANIAM, J.

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