



W.P.(MD) No.3594 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.(MD)No.3594 of 2021
and W.M.P.(MD)Nos.2919 & 5911 of 2021

Vijayan

...Petitioner

Vs.

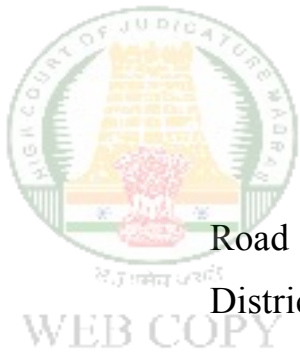
1.National Highways Authority of India,
G.5 & 6, Sector 10, Dwarka,
New Delhi:110 075.
Rep. through its General Manager.

2.The Superintending Engineer,
National Highways Authority of India,
Alagar Kovil Road, Madurai.

3.The Assistant Divisional Engineer,
National Highways Authority of India,
Thirumangalam Sub Division,
Madurai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ or order or direction in the nature of Writ of Mandamus to direct the Respondents to forbear the respondents to lay the extension of Thirumangalm – Madurai Airport



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Road in Survey No.55/1A situated at Periya Alangulam Village, Madurai District by considering the petitioner's representation.

For Petitioner :Mr.SMuniyandi
For Respondents :Mr.D.Farjana Ghoushia for R1
Special Government Pleader
:Mr.Kirijhakhnan for R3
:Mr.C.Arulvadivelu for R2

ORDER

This writ petition has been filed for issuance of writ of mandamus, restraining the National Highways Authority of India from laying any road in the patta land belonging to the petitioner by considering the representation made by the petitioner on 01.02.2021.

2. During the pendency of this writ petition, the petitioner realised that road was not attempted to be laid by the National Highways Authority of India. But the State Highways was attempting to lay the road and accordingly, amendment petition was also filed.

3. In the considered view of this Court, the petitioner came before this Court alleging that the National Highways Authority of India was



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attempting to lay a road in the patta land and a representation was also given only to the National Highways Authority of India. In the midway, the petitioner cannot be allowed to amend the cause title and include the State Highways as respondent. When the writ petition itself is not filed for a cause of action against the State Highways, mere amendment of the cause title will not help the case of the petitioner. It is also brought to the notice of this Court that the road has already been laid by the State Highways.

4. In view of the above, no further orders can be passed in this writ petition. This writ petition is disposed in the above terms. No costs. Connected MPs are also closed.

12.10.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

SM



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N. ANAND VENKATESH, J.

SM

To

1.National Highways Authority of India,
G.5 & 6, Sector 10, Dwarka,
New Delhi:110 075.
Rep. through its General Manager.

Order made in
W.P(MD)No.3594 of 2021

Dated
12.10.2023