



W.P.(MD) No.14553 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.14553 of 2021

V.Latha

... Petitioner

Vs.

The Divisional Engineer,
Southern Railway,
Madurai.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to issue No Objection Certificate (NOC) to the petitioner's proposed construction of Marriage Hall in petitioner's land situated in Survey No. 104/1B2A1, IB2A2, 4C3A at Inam Maniyachi Village in Kovilpatti Taluk measuring 37.06 cents upon her representation dated 11.02.2019 by taking into account of the agreement drawn by the respondent and accepted and signed by the petitioner dated 27.11.2019 within a reasonable time frame to be stipulated by this Court.

For Petitioner : Mr.N.Sankar Ganesh

For Respondent : Mr.K.R.Laxman
Standing Counsel



W.P.(MD) No.14553 of 2021

WEB COPY

ORDER

This Writ Petition has been filed for a direction to the Southern Railway Authority to issue No Objection Certificate (NOC) to the petitioner to enable her to construct a Marriage Hall in the subject property, by acting upon the representation made by her on 11.02.2019.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

3. The case of the petitioner is that the petitioner wanted to construct a Marriage Hall in her property and when she approached the local authorities, they insisted her to obtain No Objection Certificate from the Southern Railway since the subject property abuts the railway boundary. The petitioner made a representation in this regard to the respondent and since the respondent has not acted upon the same, the present Writ Petition has been filed before this Court.

4. The learned Standing Counsel appearing for the respondent submitted that request made by the petitioner is considered in line with the



W.P.(MD) No.14553 of 2021

Indian Railways Works Manual (2000) and the decision will be conveyed to the petitioner within the time frame fixed by this Court.

5. Taking into consideration of the facts and circumstances of the case and the limited relief sought for by the petitioner, it will suffice to give a direction to the petitioner to make a fresh representation to the respondent along with all relevant documents seeking for No Objection Certificate (NOC). The same shall be considered on its own merits and in accordance with law and the decision shall be conveyed to the petitioner within a period of 6 weeks from the date of receipt of the fresh representation from the petitioner.

6. This Writ Petition is disposed of with the above observations. No costs.

06.11.2023

Index: Yes/ No
Neutral Citation: Yes / No
Speaking order / Non-Speaking order
jen

To
The Divisional Engineer,



Southern Railway,
Madurai.

WEB COPY



W.P.(MD) No.14553 of 2021

N.ANAND VENKATESH, J.

jen

W.P.(MD) No.14553 of 2021

06.11.2023