



W.P(MD)No.29005 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29005 of 2022

and

W.M.P.(MD)No. 22984 of 2022

1.K.S.D.Kannamma

2.Shivaprasad

3.K.R.Shanthi

... Petitioners

Vs.

1.The Project Director,
Project Implementation Unit,
National Highways Authority of India,
Plot No.3, Surya Towers,
2nd Floor, First East Street,
K.K.Nagar,
Madurai-625020.

2.The Assistant Executive Engineer,
Project Implementation Unit,
National Highways Authority of India,
Plot No.3, Surya Towers,
2nd Floor, First East Street,
K.K.Nagar,
Madurai-625 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondents



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from digging the property and making constructions on the eastern side of the exclusive / private pathway comprised in S.Nos. 119/2B, 119/3B, 120/4B, 120/5, Dharmathupatti village, Thirumangalam Taluk, Madurai District thereby blocking the access, ingress / egress through the same for reaching the properties comprised in S.Nos.55/6, 55/3, 55/2, 120/5, to an extent of 4 acres 69 cents, Dharmathupatti village, Thirumangalam Taluk, Madurai District on the basis of petitioner's representation dated 8/12/2022.

For Petitioner : Mr.RG.Shankar Ganesh

For Respondents : Mr.S.Sankara Pandian
for M/s.Arulvadivel Associates

ORDER

Heard the learned counsel on either side.

2. The writ petitioners want this Court to forbear the respondents from putting up the impugned construction. My attention is drawn to the order dated 19.01.2023 made in W.P.(MD)No.26133 of 2022 (Muthusamy Vs. The District Collector) filed by the adjacent land owner. The said writ petition was disposed of by me by directing the Project Director, National Highway Authority of India, K.K.Nagar, Madurai to dispose of the writ petitioner's representation in the light of the order dated 13.12.2018 made in W.P.(MD)No. 629 of 2018. This Writ Petition is also disposed of on the same lines.



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3. The first respondent shall dispose of the petition mentioned representation dated 08.12.2022 in the light of the order dated 13.12.2018 made in W.P.(MD)No.629 of 2018.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

31.01.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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