



W.P.No.1365 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1365 of 2024

1. R.Krishnamoorthy
2. S.Rajendran
3. S.Vijayakumar
4. G.Sathish Kumar
5. M.Ramasamy

.. Petitioners

Vs.

1. Union of India
Rep. by its Secretary to Government
Ministry of Railways
21, Rail Bhawan, Rafi Marg
New Delhi – 110 001.
2. The General Manager
Southern Railway
Chennai – 600 003.
3. The Divisional Railway Manager
Works Branch, Engineering Department
Salem – 636 005.
4. The State of Tamil Nadu
Rep. by the District Collector
Salem District, Salem.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the second respondent to consider the representation of the petitioners dated 16.12.2023 to construct road over bridge instead of road under bridge at Level Crossing No.128 (LC 128) between Salem – Vridachalam Route, Salem Division.

For the Petitioners : Mr.A.E.Ravichandran

For the Respondents : Mr.Prasad Vijayakumar
Senior Panel Counsel
for R1 to R3

Mr.P.Muthukumar
State Government Pleader
for R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.A.E.Ravichandran, learned counsel for the petitioners, Mr.Prasad Vijayakumar, learned Senior Panel Counsel for respondents 1 to 3 and Mr.P.Muthukumar, learned State Government Pleader for respondent 4.

2. The petitioner claims that the second respondent be directed to construct road over bridge instead of road under bridge at Level Crossing No.128(LC 128) between Salem – Virudhachalam route.



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3. The relief claimed by the petitioner cannot be granted by this Court. Decision has to be taken by the experts. The petitioner has already filed a representation to the second respondent. If the second respondent is competent to decide the same, then the second respondent may decide the said representation on its own merits and in accordance with law.

4. In light of the above, the writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.1394 of 2024 is closed. W.M.P.No.1392 of 2024, filed to permit the petitioners to file a single writ petition is allowed and disposed of, inasmuch as the petitioners have paid separate sets of court fee.

(S.V.G., CJ.)

(D.B.C., J.)

23.01.2024

Index : Yes/No

Neutral Citation : Yes/No

drm



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To

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Union of India, Ministry of Railways
21, Rail Bhawan, Rafi Marg
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THE HON'BLE CHIEF JUSTICE
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(drm)

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