



W.P.No.1963 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

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Mayiladuthurai Chamber of Commerce
(Registration No.37/2006)
Rep. by its President, C.Senthivel
No.51 A and B (No.178), No.2, Road
Koorainadu
Mayailaduthurai – 609001.

.. Petitioner

Vs

- 1 The District Collector
District Collectorate
Nagapattinam District.
- 2 The Commissioner
Mayiladuthurai Municipality
Chinnakadai Street
Mayiladuthurai - 609001
Nagapattinam District.
- 3 The Executive Engineer
Highways Department
Government of Tamil Nadu
Mayiladuthurai.



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- 4 The Government of Tamil Nadu
rep. by its Secretary
Municipal Administration and Water Supply Department
Fort St. George, Chennai.
- 5 The Government of Tamil Nadu
rep. by its Secretary
Rural Development and Panchayat Raj Department
Fort St.George, Chennai.
(R4 and R5 suo-motu impleaded as per
order dated 7.2.2020)
- 6 The Secretary
Highways Department
Government of Tamil Nadu
Fort St.George, Chennai.
(R6 suo-motu impleaded as per order
dated 25.2.2020)

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd and 3rd Respondents and their officials to inspect the Pattamangalam Street, Mayilalduthurai Town based on the representation given by the petitioner dated 08.11.2019 and relay the street only after scrapping and levelling the existing road so that the height of the street will not increase than that of the basic height of the shops and houses situate in the Pattamangalam Street, Mayilalduthurai Town.

For the Petitioner : Mr.A.Veerasamy

For the Respondents : Mr.Habeeb Rahman
Government Advocate
for respondents 4 and 5

: Mr.M.Venugopal
for 2nd respondent



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ORDER

(Order of the Court was made
by the Hon'ble Acting Chief Justice)

Heard Mr.A.Veerassamy, learned counsel for the petitioner;
Mr.M.Venugopal, learned counsel for the second respondent; and
Mr.Habeeb Rahman, learned Government Advocate appearing on
behalf of respondents 4 and 5.

2. The petitioner has filed this writ petition seeking issuance of a writ of mandamus commanding the respondents 2 and 3 and their officials to inspect the Pattamangalam Street, Mayiladuthurai Town based on the representation given by the petitioner dated 08.11.2019 and relay the street only after scrapping and levelling the existing road so that the height of the street will not increase than that of the basic height of the shops and houses situate in the Pattamangalam Street, Mayiladuthurai Town.

3. More than four years have elapsed since the petitioner submitted the representation seeking re-laying of road. Way back



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on 24.2.2020, the second respondent has filed a counter affidavit stating that administrative sanction for the aforesaid work was accorded by the government on 18.10.2019 and works of picking of B.T.Surface and removal of the same and levelling the road are included in the said estimate. Therefore, at this belated stage, we do not find any reason to pass orders in this writ petition.

4. The writ petition is disposed of, with liberty to the petitioner to approach the authorities concerned, if any grievance on the subject-matter still subsists. There shall be no order as to costs.

(R.M.D., ACJ.) (M.S.Q., J.)
01.07.2024

Index : Yes/No
NC : Yes/No
sasi



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THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

(sasi)

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