



WP No.12140 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.12140 of 2020

G.Pari

: Petitioner

versus

1.Union of India

Rep.by its Secretary

Ministry of Road Transport and Highways Department

Transport Bhawan, 1, Parliament Street

New Delhi

2.National Highways Authority of India

Rep.by its Project Director Incharge of NH.45C

(Vikravandi to Thanjavur Section)

No- 54, First Floor

Natarajapuram North Colony

Medical College road, Thanjavur 613 004

3.The District Collector

Cuddalore Collector Office

Gundu Salai Road Pennaiyar Rd Manjakuppam

Cuddalore 607001.

4.Patel Sethiyahopu-Cholopuram Highway Pvt. Ltd.

Rep.by its Board of Directors

Registered Office at Patel House

Beside Prakruti Resort 3 BP Estate

Chhani Road Chhani NH8

Vadodara 391 740

: Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing 1) Directing respondents 2 and 4 not to damage levee of Vellar river while constructing the new bridge across the river and further directing respondents 2 and 4 to lay pillars from Periyakuppam flyover to Chinnakuppam Vellar river instead of embankment and 2) Pass an order of direction directing respondents 1 to 4 not to construct the bypass road from Pinnalur and the new bridge across Vellar river without having public hearing/ environment impact assessment report (EIA) and 3) Directing respondents 2 and 4 to give right of way to the Veeramudaiyanatham Panchayat and nearby villagers to have smooth access to the national highway NH-45C with necessary under pass/flyover and service lane for accessing and cross the highway smoothly without any incident.

For Petitioner	:	Mr.D.Arun Kumar, for Mr.M.Srinivasan
For Respondents 1 & 2	:	Mr.G.Karthikeyan Senior Standing Counsel
For Respondent No.3	:	Mr.P.Harish Government Advocate

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.D.Arun Kumar, learned counsel for the petitioner, Mr.G.Karthikeyan, learned Senior Standing Counsel, appearing for respondents 1 and 2 and Mr.P.Harish, Government Advocate, appearing for the third respondent.

2. Details are given of the number of minor bridges to be constructed i.e. drainage structures. Location, manner of erecting the bridges etc. are technical in nature, to be decided by the experts.



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3. The report states that the minor bridge at CH.72+860 will be shifted to Ch.72+650 with a size of 6x2.5 m so as to fit within the RE Wall approaches, as requested by the petitioner and recommended by the Executive Engineer, Water Resources Department. A total of 6 numbers of cross drainage structures in the said stretch are in progress at the above locations so as to reduce the water stagnation in Veeramudiyathanam and Periyakuppam Villages.

4. If the petitioner is aggrieved with regard to the same, the petitioner may approach the authorities with a proposal. It is for the authorities to consider the said proposal on its own merits.

5. The writ petition stands disposed of. There shall be no order as to costs. Consequently, WMP No.14881 of 2020 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

21.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE

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(tar)

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