



W.P.No.24706 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.24706 of 2024

Sudha Radhakrishnan

.. Petitioner

Vs

1.The Divisional Engineer,
State Highways Department,
Tambaram Sub-Division,
Saidapet, Chennai-600 015.

2.The Assistant Divisional Engineer,
State Highways Department,
Tambaram Sub-Division,
Saidapet, Chennai.

3.David Manohar

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents from demolishing the temporary ramp and in any manner affecting the access to the 200 feet radial road from the petitioner's property in Plot No.6, 7 and 8 admeasuring an total extent of 6000 sq. ft. comprised in Survey No.255/9B, 255/10, 255/11B, 255/12B and



W.P.No.24706 of 2024

255/13 Zamin Pallavaram Village, presently Alandur Taluk, T.S.No.18A, 20A, 34/18-B2 in Block No.49, Ward No.D, Jothi Colony Layout, lying within the sub-registration district of Pallavaram and consequently provide solution of a permanent ramp for ingress & egress from and to the above property of the petitioner and connecting the service road to the 200 feet radial road, Pallavaram as and when laid by the Highways Department.

For the Petitioner : Mr.S.Silambanan
Senior Counsel
for Ms.S.Shalini

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 and 2

ORDER

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

This writ petition has been filed by the petitioner to forbear the respondents from demolishing the temporary ramp affecting the access to the 200 feet radial road from the petitioner's property and to provide solution of a permanent ramp for ingress and egress from and to the petitioner's property and connecting the service road to the 200 feet radial road.



W.P.No.24706 of 2024

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2. When the matter was taken up on 27.8.2024, this Court passed the following order:

"The grievance of the petitioner is that the temporary ramp put up in front of the showroom in the petitioner's building has been removed without any notice and thereafter, it was laid by the first respondent. However, it was demolished subsequently. According to the petitioner, action of removing the ramp is taken only against the petitioner and not against the persons similarly placed.

Learned State Government Pleader submits that action will be taken to remove all the ramps put up by other persons also.

List the matter on 02.09.2024 for filing affidavit.

In the meantime, no coercive steps shall be taken against the petitioner."

3. On 18.9.2024, this Court passed the following order:



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W.P.No.24706 of 2024

"Learned Senior Counsel appearing for the petitioner submits that the respondent Department has not provided time schedule for removing ramp in front of the building of the petitioner as well as other buildings are concerned.

Learned State Government Pleader is directed to file a report before this Court giving all the details and particulars for removing ramp in front of the building of the petitioner as well as buildings, which belongs to other land owners.

List the matter next week for filing report.

Interim order already granted by this Court is extended till then."

4. Today, when the matter is taken up, learned State Government Plead, on instructions from Mr.G.Vasnatha Kumar, Assistant Engineer, Highways Department, Tambaram Division present in Court, submitted that at present the work of six lane has been completed and the formation of service road in front of the



W.P.No.24706 of 2024

petitioner's property is scheduled on 14.10.2024 and 15.10.2024.

Learned State Government Pleader has also produced the letter dated 19.9.2024 addressed to him by the Assistant Divisional Engineer (H), C & M, Tambaram Sub Division. In the said letter, it has been stated as under:

"It is submitted that the stretch of the 'Service road' of the Pallavaram – Thoraipakkam Road Km 9/0-4/2 (SH109) is being laid under the work named as 'Widening from Four lane to Six Lane Strengthening and Improvements including Widening of Cross Drainage Works of Pallavaram – Thoraipakkam Road Km 0/0-4/2 (SH109). At present, the work of Six lane works have been completed and the formation of service road work is in progress. It is scheduled to be complete before 15.10.2024 in front of the petitioner land."

5. In the light of the said development and considering the fact that the formation of service road in front of the petitioner's property is scheduled on 14.10.2024 and 15.10.2024, no further orders need to be passed in the present writ petition. The petitioner



W.P.No.24706 of 2024

shall cooperate for completion of the said work on the scheduled dates.

6. The writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.27027 of 2024 is closed.

(D.K.K., ACJ.) (M.J.R., J.)
25.09.2024

Index : Yes/No
NC : Yes/No
bbr

To:

- 1.The Divisional Engineer,
State Highways Department,
Tambaram Sub-Division,
Saidapet, Chennai-600 015.
- 2.The Assistant Divisional Engineer,
State Highways Department,
Tambaram Sub-Division,
Saidapet, Chennai.



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W.P.No.24706 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
M.JOTHIRAMAN,J.

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W.P.No.24706 of 2024

25.09.2024