



W.P.(MD) No.2659 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.2659 of 2024

S.Raju

... Petitioner

-VS-

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Divisional Engineer,
State Highways Department,
PWD Compound,
Nagercoil,
Kanyakumari District.

3.The Tahsildar,
Thiruvattar Taluk,
Thiruvattar,
Kanyakumari District.

4.The Block Development Officer,
Thiruvattar Panchayat Union,
Thiruvattar,
Kanyakumari District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, direction to the respondents 1 to 4 to lay the Tar road from Thiruvattar to Mathoor Road by widening it by 9.14 meters instead of 5.50 meters, after removing the encroachments on entire stretch within a time stipulated by this Court.

For Petitioner : Mr.C.Kishore

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for a direction to the respondents 1 to 4 to lay the Tar Road from Thiruvattar to Mathoor Road by widening it by 9.14 meters instead of 5.50 meters, after removing the encroachments on entire stretch within a time frame.

2. By consent of both sides, the Writ Petition is taken up for final disposal at the time of admission itself.



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3. According to the petitioner, the existing Thiruvattar to Mathoor Road, leading to Mathoor Thottipalam @ Mathoor Aqueduct, is 18 feet and the land available is 40 feet. Hundreds of vehicles are plying through this road and there is traffic chaos during peak hours. Further, there are some encroachments on either side of this road. Therefore, seeking to widen the road by 30 feet and to remove the encroachment, the petitioner sent a detailed representation dated 20.06.2023 and 20.10.2023 to the respondents 1, 2 & 4. However, without considering the same, the respondents are going to relay the road. Hence, the present Writ Petition.

4. The second respondent filed a status report, wherein it is stated that the Nagercoil Highways Department, Construction and Maintenance Wing is maintaining the Thiruvattar to Mathoor Road for 2.800 Km. The existing width of the road is 3.75m in single lane. As the present traffic is more than 3000 Passenger Car Unit, proposal was sent to Government for widening this road from Single Lane (3.75m) to Intermediate Lane (5.50m). Administrative Sanction has been obtained for the said work, tenders are finalized and at present, the work is in progress. Since the widening of the road has been decided only as per the



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available traffic census in the said road, the petitioner's plea to widen the road by 9.14m instead of 5.50m cannot be considered. So far as the encroachment is concerned, the same has been communicated to Tahsildar, Thiruvattar to fix the boundaries and on fixing the boundaries, the encroachment, if any, marked would be removed.

5. Recording the said statement made by the second respondent, this Writ Petition stands disposed with a direction to the respondents to complete the work undertaken at the earliest without any delay. No costs.

[D.K.K., J.] [R.V., J.]
08.02.2024

Index : Yes / No
Internet : Yes / No
SJ

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