



W.P.(MD) No.22585 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE **MR.D.KRISHNAKUMAR,**

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.22585 of 2018

and

W.M.P.(MD)Nos.20465 of 2018 & 494 of 2019

M.Ilaiyaperumal

... Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Rep. by the Secretary,
Department of Rural Development and Panchayat Raj,
Secretariat, Fort St.George,
Chennai-9.
- 2.The District Collector,
Collectorate, Tirunelveli District.
- 3.The General Manager,
Southern Railway,
1st Floor, NGO Campus,
Park Town, Chennai-3.
- 4.The Chief Engineer,
O/o. The Chief Engineer,
Bridge and Maintenance,
Southern Railway, Chennai-600 033.



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5.The Additional Divisional Railway Manager,
O/o. The Additional Divisional Railway Manager,
Madurai Railway Station, Madurai City-1.

6.The Block Development Officer,
O/o. The Block Development Officer,
Cheranmahadevi Division, Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to build a permanent railway gate and to appoint Railway Gate Keeper in Level Crossing No.44 enroute Nellai to Sengottai Passenger Train situated at Mela Pudukudi Village, Cheranmahadevi Taluk, Tirunelveli District by considering the representation dated 26.10.2018 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For R1 & R2 : Mr.P.Thilakkumar,
Government Pleader

For R3 to R5 : Mr.K.R.Laxman

For R6 : Mr.C.M.Marichelliahprabhu

ORDER

[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]

The prayer sought for in this Writ Petition is to direct the respondents to build a permanent railway gate and to appoint Railway Gate Keeper in Level Crossing No.44 enroute Nellai to Sengottai Passenger Train situated at Mela



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Pudukudi Village, Cheranmahadevi Taluk, Tirunelveli District, by considering the petitioner's representation dated 26.10.2018 within the time stipulated by this Court.

2.Today, when the matter is taken up for hearing, the learned counsel for the respondents 3 to 5, by relying upon the counter affidavit filed by the respondents 3 to 5, would submit that the unmanned LC.No.44 at KM.51/400-500 in Tirunelveli-Tenkasi Section was closed based on the policy decision taken by the Railway Board to close all the unmanned Level Crossings in all over the country in order to ensure safety of travelling public as well as general public that too, after getting the approval of District Administration and duly following the alternate arrangements, such as providing diversion of traffic to the adjacent Level Crossings maximum nearby a distance of 0.5 km to 1.0 km, which is also very easily accessible.

3.The said submission made by the learned counsel for the respondents 3 to 5 is not disputed by the learned counsel for the petitioner.

4.In view of the said submission made by the learned counsel for the respondents 3 to 5, no further order is required to be passed in this Writ Petition.



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Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., A.C.J.] & [R.V., J.]
26.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

- 1.The Secretary,
Department of Rural Development and Panchayat Raj,
Secretariat, Fort St.George,
Chennai-9.
- 2.The District Collector,
Collectorate, Tirunelveli District.



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D.KRISHNAKUMAR, A.C.J.

AND

R.VIJAYAKUMAR, J.

Yuva

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