



Writ Petition No.10590 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP No.10590 of 2025

E.Selvarajan
S/o.Ellayappa Gounder, North
Kattukottai, Kaniyamoor Village
And Post, Kallakurichi Taluk And
District- 606 201

Petitioner

Vs

1. The Chief Administrative Officer
Southern Railways (construction),
Egmore, Chennai- 08

2.The District Collector
Cum Land Acquisition Officer,
District Collectorate, Kallakurichi

3.The Deputy Chief Engineer,
Southern Railways (constructions),
Southern Railway Office Complex,
Salem- 5

4.The Special Tahsildar (Land
Acquisition)
Chinna Salem To Kallakurichi
Board Gauge Railway Project,
Collectorate Complex,
Kallakurichi

Respondent(s)



Writ Petition No.10590 of 2025

Prayer:
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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the Respondents to provide a service road facility on both sides of the Road over Bridge to be constructed in Kaniyamoor Panchayat Road to run over the Chinnasalem- Kallakurichi broad gauge railway line, enabling the petitioner and others for their ingress and egress from Kaniyamoor panchayat Road to his house and lands situate in S.Nos. 246/1, 246/2, 246/3A, 63/3, 64/5B1, 245/1 and 68/1B1 in Kaniyamoor Village, Kallakurichi Taluk and District by considering the petitioner's representation dated 14.05.2024, within the time frame as fixed by this Honble Court.

For Petitioner	:	Mr.S.Senthil
For Respondents	:	Mr.P.Sathish Additional Government Pleader for R2 and R4 Mr.P.T.Ramkumar Central Government Advocate for R1 and R3

ORDER

This writ petition has been filed for issue of a writ of mandamus directing the respondents to provide service road facility by considering the representation made by the petitioner on 14.05.2024.

2. Heard the learned counsel for the petitioner, the learned



Writ Petition No.10590 of 2025

Additional Government Pleader for the R2 and R4 and the learned

Central Government Advocate for R1 and R3.

3. A similar writ petition was filed before this Court in W.P.No.1139 of 2025 and the said writ petition was disposed of by an order dated 22.01.2025. Relevant portions are extracted hereunder:

'2. The petitioners would submit that a State Highway No.68 was running in the East-West direction from Kallakurichi Bus Stand to Thiyagadurgam, which is on the northern side of the petitioners' land. Prior to acquisition proceedings, the petitioners had a direct access from the said State Highway on the northern side to the petitioners' land. However the proposed railway line which runs in a North-South direction crosses Kallakurichi Bus Stand to Thiyagadurgam Road through the petitioners' land. Therefore, the petitioners cannot have access to the State Highway. That apart, there is no other pathway for the petitioners to enter into their lands. The petitioners therefore gave a representation to the respondents on 23.01.2023. The 2nd respondent by his letter dated 10.03.2023 had forwarded the petitioners' representation to the 3rd and 4th respondents to take appropriate action, but no fruitful action was taken by the respondents. Subsequently, the petitioners individually sent another representation to the second respondent on 25.07.2024 seeking to provide service road facility on entire stretch of the Eastern side of the proposed railway station from the South of



WEB COPY



Writ Petition No.10590 of 2025

Kallakurichi - Thiyagadurgam road enabling the petitioners to have ingress and egress to their lands. Yet another representation for the said purpose was also made on 03.09.2024. However, these representations are yet to be taken up for consideration. Aggrieved by the same, the petitioners are before this Court.

3. Heard the learned counsels on either side.

4. From the contentions of the petitioners, it appears that by acquiring their lands, access to the highway had been cut off and this has caused great hardship to the petitioners. The petitioners have made their representations on 23.01.2023, 25.07.2024 and 03.09.2024 to the respondents to consider and provide a service road facility. Though the last representation was submitted as early as in the month of September 2024, the respondents have not taken any necessary steps in considering the representation.

5. Therefore, taking note of the fact that the respondents have failed to discharge their statutory duties, a mandamus is issued to the respondents 1 to 4 to consider the petitioners' representations dated 23.01.2023, 25.07.2024 and 03.09.2024 after giving a personal hearing to the petitioners to put forth their case and thereafter pass orders. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.'

4. The present writ petition can also be disposed of in the



Writ Petition No.10590 of 2025

above terms. Hence, there shall be a direction to the respondents to consider the representation made by the petitioner on 14.05.2024 after affording an opportunity to the petitioner and take a decision within a period of twelve weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of in the above terms. There shall be no order as to costs.

25.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

mk



Writ Petition No.10590 of 2025

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WEB COPY



Writ Petition No.10590 of 2025

N.ANAND VENKATESH.J.,

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Writ Petition No.10590 of 2025

25.04.2025