



W.A.Nos.2419 and 2420 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 01.08.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.Nos.2419 and 2420 of 2025
and
C.M.P.Nos.18577 and 18581 of 2025

- | | |
|-----------------------|--|
| 1. A.Vijaya Kandeepan | ... Appellant/Petitioner in W.A.No.2419/2025 |
| 2. K.Samuel | ... Appellant/Petitioner in W.A.No.2420/2025 |

-VS-

- | | |
|--|------------------------------------|
| 1. The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Highways & Minor Ports Department,
Secretariat, Fort St.George,
Chennai-600 009. | |
| 2. The Divisional Engineer,
Tamil Nadu Highways Department,
Chennai Metropolitan Development Scheme,
No.124, 2 nd Floor, Thyagaraya Road, Teynampet,
Chennai-600 018. | ... Common Respondents/Respondents |

Common Prayer: Writ Appeals are filed under Clause 15 of the Letters Patent, seeking to set aside the order in W.P.Nos.7639 & 7485 of 2024 dated 09.06.2025 and thereby allow the Writ Appeals.



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For Appellants : Mr.L.Chandrakumar
For Mr.B.Sundarapandiyan

For Respondents : Mr.J.Ravindran,
Additional Advocate General
Assisted by Mr.M.Rajendran
Addl. Govt. Pleader

COMMON ORDER

(By J.Nisha Banu,J.)

A challenge in these Writ Appeals is to the common order dated 09.06.2025 passed in W.P.Nos.7639 and 7485 of 2024, by which, those Writ Petitions were dismissed as devoid of merits.

2. It is the case of the appellants that originally, the respondents decided to construct a Foot Over Bridge (in short the 'Bridge') with escalator near Senthil Nagar junction at KM 14/2 and suddenly, the plan was changed and the construction of the Bridge was shifted to Sivanandha Nagar, thereby affecting the ingress and egress of the appellants. The said aspect has not been taken into consideration by the learned Single Judge and therefore, the impugned order needs to be interfered with.



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3. Heard the learned counsel for the Appellants and the learned

Additional Advocate General appearing for the respondents and perused the documents available on record.

4. According to the learned Additional Advocate General, on the basis of the report of technical experts, it was decided by the Government to shift the Bridge to Sivanandha Nagar and there is no hidden agenda in displacement of the Bridge, as alleged by the Appellants.

5. It is a settled position of law that policy decisions are beyond the ken of judicial review. We feel it appropriate to refer to the Judgment of the Apex Court in the case of Union of India and others vs. Mohinder Singh and others, reported in 2016 SCC OnLine Del 1434 , wherein it was held as under:

“...Policy may change and need not be static, for exigencies and experience do matter. Correction and emendation, which is not arbitrary and discriminatory or violative of constitutional rights, should not be interfered with and struck down. The Courts in policy matters interfere when Article-14, fundamental or constitutional rights and mandate is violated and not otherwise. ...”



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6. We do not see any infringement of fundamental or constitutional rights in transformation of the Foot Over Bridge from Senthil Nagar junction at KM 14/2 to Sivanandha Nagar. Further, the administrative decision of the Government, which was taken in consultation with experts in the relevant field cannot be blindly interfered with, which would result in serious consequences or repercussion in the Society. Therefore, the order of the learned Single Judge is perfectly valid, warranting no interference by this Court.

7. In the result, these Writ Appeals are dismissed. No costs.
Consequently, connected Miscellaneous Petitions are closed.

(J.N.B.J.,) (M.J.R.J.,)
01.08.2025

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To:

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