

(2011) 07 MAD CK 0010

In the Madras High Court

Case No : Writ Petition (MD) No. 11570 of 2005 and W.P. (MP) (MD) No's. 12310 of 2005, 37 and 38 of 2006 and M.P. (MD) No. 2 of 2006

S. Selvaraj

APPELLANT

Vs

The District Collector and Others

RESPONDENT

Date of Decision : 26-07-2011

Acts Referred:

Citation : (2011) 07 MAD CK 0010

Hon'ble Judges : Vinod K. Sharma, J

Bench : Single Bench

Advocate : T. Sekar, for the Appellant; D. Muruganandam, Addl. Govt. Pleader for Respondent 1, K. Balasubramanian, for Respondent 2, P. Krishnasamy, for Respondent 3, K.R. Laxman, for Respondent 4 and Pon Muthuramalingam, for Respondent 5, for the Respondent

Final Decision : Dismissed

Judgement

Vinod K. Sharma, J.—The Petitioner has approached this Court with a prayer for issuance of a Writ in the nature of Mandamus, directing

the Respondents to follow the Circular Letter No. 5907/T2/NH/2005-2006, dated 23.05.2005 of the third Respondent in constructing the bus

shelter as per Resolution No. 88, dated 31.01.2005.

2. The allegation of the Writ Petitioner in the Writ Petition are that the Respondents are taking steps to construct the bus shelter in violation of the

circular issued by the National Highways Authority.

3. On notice, an affidavit has been filed by the Assistant Engineer(National Highways), Madurai Section, as under:

4. It is submitted that I enquired with the Executive Officer,Town Panchayat, Thirupuvanam over phone regarding the Bus Shelter for which the

Executive Officer assured by saying that he will demolish the constructions at the time, when National Highways Authority intends to extend the width of the road(i.e., widening of N.H road in future) without any objection. Further, he says that it is only a temporary construction for Bus Shelter and that too for the usage of the public at large.

4. In view of the affidavit filed by Respondent No. 3, the grievance of the Petitioner stands met, which render this Writ Petition as infructuous.

Disposed of accordingly.

5. Consequently, connected Miscellaneous Petitions are closed. No. costs.