

Dr.P.Elango Vs. the General Manager

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Court : Chennai

Decided On : Apr-09-2012

Judge : Vinod K.Sharma, J.

Acts : [Constitution of India](#) - Articles 226

Appeal No. : W.P. No.28970 of 2011 and M.P.No.1 of 2011

Appellant : Dr.P.Elango

Respondent : The General Manager

Advocate for Def. : Mr.M.Vellaichamy, Adv.

Advocate for Pet/Ap. : Mr.R.Karthikeyan, Adv

Judgement :

Prayer: Writ petition is filed under Article 226 of [Constitution of India](#) for the issuance of a writ in the nature of Mandamus, to direct the 2nd respondent to provide pathway through the Railway land in Town Survey No.12, 15, 16, 17, 16/2B, 21 and 25 of Ward No.D Block No.4, Namakkal Town from the petitioner's land in T.S.No.15/7A and 22/5A based upon his representation dated 07.09.2010, 23.05.2011 and 07.08.2011 and also in consonance of the orders of this Hon'ble Court as made in W.P.No.7807 of 2010 dated 26.07.2010.

ORDER

1. Learned counsel for the respondents has placed on record a letter received from the Southern Railway, pointing out that the Railway Administration shall allow the petitioner to use the Railway land as pathway, as sufficient "land width" is available in front of petitioner's land to facilitate him to use pathway for approaching his land, through railway land without any obstruction. The road shall, however, be used by the petitioner as per usual terms and conditions, stipulated by the Railway, but without any hindrance from the Railway.

2. In view of the stand taken by the respondents, this writ petition has been rendered infructuous. Disposed of accordingly.

3. No costs. Connected miscellaneous petition is closed.

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