



**CIVIL APPEAL NO.                      OF 2026**  
**(Arising out of SLP (C) No.31444 of 2025)**

## VERSUS

**THE PRINCIPAL SECRETARY TO  
GOVERNMENT & ORS. ...RESPONDENT(S)**

## J U D G M E N T

**VIKRAM NATH, J.**

1. Leave granted.
2. The present civil appeal arises from the judgment and order dated 25.07.2025 passed by the High Court of Judicature at Madras in W.P. No. 21364 of 2025 (hereinafter referred to as the “impugned judgment”), whereby the High Court disposed of the writ petition preferred by the appellant, who was the petitioner before the High Court, seeking, inter alia, directions to the respondents to expedite the construction of a Limited Use Subway in lieu of Level Crossing No. 81 at Vaniyambadi and to complete the same within a stipulated time frame.

3. The facts giving rise to the present appeal are as follows.

3.1. The appellant is a resident of Vaniyambadi in Tirupattur District, Tamil Nadu. Level Crossing No. 81 is situated at Vaniyambadi between the Vaniyambadi and Kethandapatti Railway Stations. The railway line divides the eastern and western parts of Vaniyambadi Town and the level crossing is used by a substantial number of residents and commuters for movement between the two sides of the town.

4. The Government of Tamil Nadu, by G.O. (Ms.) No. 272 dated 13.11.2007, granted administrative sanction for construction of a Road Over Bridge (hereinafter referred to as “ROB”) in lieu of Level Crossing No. 81 at an estimated cost of Rs. 13 crores on a cost-sharing basis with the Southern Railway. During the subsequent examination of the project, it was found that construction of the proposed ROB would require acquisition of a substantial extent of land in a heavily built-up area and would entail considerably higher costs. An alternative proposal for construction of a Road Under Bridge (hereinafter referred to as “RUB”) was, accordingly, considered.

4.1. In the meantime, the appellant had approached the High Court in W.P. No. 26319 of 2018 seeking

commencement of the construction work or reopening of Level Crossing No. 81 for public use. During the pendency of those proceedings, the level crossing, which had earlier been closed, was reopened for public use. The said writ petition was ultimately disposed of on 18.07.2023.

- 4.2. The proposal for construction of the RUB was thereafter pursued by the State Government and the Southern Railway. The Government of Tamil Nadu, by G.O. (Ms.) No. 158 dated 16.12.2019, approved the change in nomenclature of the project from an ROB to an RUB. Subsequently, by G.O. (2D) No. 3 dated 22.01.2021, proceedings were undertaken for acquisition of the land required for construction of the RUB under the Tamil Nadu Highways Act, 2001 (hereinafter referred to as the “Highways Act”).
- 4.3. The land acquisition proceedings for the RUB continued thereafter. The proceedings included enquiry under the relevant provisions of the Highways Act and a meeting of the District Private Negotiation Committee with the affected landowners. The State Government also accorded revised administrative sanction towards the cost of land acquisition.

- 4.4. Subsequently, upon further examination of the project and a joint inspection conducted by the officials of the State Highways Department and the Southern Railway, the proposal was modified once again and a Limited Use Subway (hereinafter referred to as “LUS”) was considered in place of the RUB. The revised Land Plan Schedule for the LUS contemplated acquisition of a reduced area of approximately 5009 square metres. The alignment of the LUS was approved and the proposal for change in nomenclature from the RUB to the LUS was submitted to the State Government.
- 4.5. The Government of Tamil Nadu, by G.O. (Ms.) No. 84 dated 15.05.2025, approved the change in nomenclature of the project from the RUB to the LUS. The State authorities thereafter initiated steps for undertaking the requisite land acquisition proceedings and obtaining the necessary approvals for construction of the LUS.
- 4.6. The appellant thereafter preferred W.P. No. 21364 of 2025 before the High Court seeking, inter alia, a direction to the respondents to expedite the construction of the LUS and to complete the same within a stipulated period. The High Court, by the impugned judgment dated 25.07.2025, noted the submission made on behalf of the Southern

Railway that the land acquisition proceedings were pending with the State Government. The High Court observed that the relief sought by the appellant would effectively require it to continue monitoring the construction of the LUS and declined to keep the writ petition pending for that purpose. The writ petition was, accordingly, disposed of.

- 4.7. Aggrieved by the disposal of the writ petition without any specific direction regarding completion of the project within a stipulated time frame, the appellant approached this Court by way of the present appeal.
5. We have heard the appellant, who appeared in person and the learned counsels appearing for the respective respondents. During the course of proceedings before this Court, the respondents placed on record the current status of the project along with additional documents and brief notes detailing the progress made with respect to the land acquisition proceedings, the approvals obtained, the tender process, and the proposed time frame for execution of the respective portions of the work.
6. From the material placed before us, it emerges that the project has now progressed beyond the stage of consideration and the authorities have initiated

steps towards its implementation. The State Government has clarified that the land acquisition proceedings are to be undertaken in terms of G.O. (Ms.) No. 84 dated 15.05.2025. The said decision was communicated to the concerned land acquisition authority on 26.02.2026. The State authorities have also taken steps towards preparation of the designs, drawings and detailed quantity estimates for the LUS.

7. Respondent No. 2, Southern Railway, has also placed a short affidavit on record stating that a tender has been floated for construction of its portion of the LUS. It has been stated that seven bidders participated in the tender process and that the tender process was expected to be finalised by the second week of August 2026. Respondent No. 2 has further stated before this Court that, upon award of the contract and subject to the State Government making available the requisite land in the approach portion for casting of the boxes, the work falling within its domain can be completed within a period of six months from the date of award of the contract.
8. The brief note filed on behalf of the State authorities further records that the tender for the Railway portion has reached the award stage and that the

work would commence upon completion of the award process. The remaining processes on the part of the State, including the land acquisition and the preparation and approval of the requisite designs and estimates for the Highways portion, are also stated to be underway.

9. In view of the aforesaid developments and the specific statements placed before us by the respondents, the controversy has now substantially narrowed. The project, which has remained under consideration in one form or another for a considerable period of almost 20 years, has now progressed materially towards execution. We take the aforesaid statements and assurances of the respondents on record and expect the concerned authorities to proceed with the remaining steps with due expedition and in coordination with each other.
10. Before parting with the matter, we consider it appropriate to place on record our appreciation for the efforts made by the appellant. The record reflects that he has consistently pursued the issue concerning Level Crossing No. 81 and the proposed grade-separated crossing over several years, not for any personal benefit, but with the object of securing relief for the residents and commuters of Vaniyambadi. He has approached the authorities as

well as the High Court on more than one occasion and has continued to pursue the matter until the project reached its present stage.

11. These days, Writ Courts are frequently called upon to deal with proceedings styled as public interest litigations which, on closer scrutiny, do not advance any genuine public cause. The present matter stands on a different footing. The appellant has demonstrated how a vigilant and bona fide citizen can, through sustained and responsible engagement with public authorities and constitutional courts, draw attention to an issue affecting the community at large. Such constructive civic participation deserves acknowledgment.
12. In view of the aforesaid subsequent developments and the definite statements and assurances now placed before this Court, we are of the considered opinion that no useful purpose would be served by keeping the present appeal pending merely for the purpose of continuously monitoring the execution of the project. The statements and assurances made on behalf of the respondents before this Court are taken on record and shall be duly complied with.
13. The State authorities shall proceed with and complete the pending land acquisition proceedings and all other approvals and processes falling within

their domain with utmost expedition. They shall ensure that the requisite land is made available to Respondent No. 2, Southern Railway, without avoidable delay so that the execution of the Railway portion of the LUS is not impeded.

14. Respondent No. 2 shall finalise the tender process within the time indicated before this Court and, upon award of the contract and availability of the requisite land, shall ensure completion of the work falling within its domain within a period of six months from the date of award of the contract. The State authorities shall, in the meantime, simultaneously proceed with the designs, estimates, administrative approvals and other necessary steps concerning the Highways portion of the project so that the work may proceed without any further avoidable delay.
15. Respondent Nos. 1, 3 and 4, on the one hand, and Respondent No. 2, on the other, shall file their respective compliance affidavits before this Court upon completion of the work falling within their respective domains and, in any event, within a period of eight months from the date of this judgment, setting out the steps taken in compliance with the directions contained herein. The Registry

shall place the compliance affidavits before the Court upon their filing.

16. The appeal is, accordingly, disposed of in the aforesaid terms.
17. All pending applications, if any, shall also stand disposed of.

.....J.  
(VIKRAM NATH)

.....J.  
(SANDEEP MEHTA)

**NEW DELHI**  
**AUGUST 21, 2026**