



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

CORAM

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. (MD) .No.2190 of 2015
and
M.P. (MD) .Nos.1 & 2 of 2015

K.K.Ramesh

.. Petitioner.

Vs.

1.The Government of Tamil Nadu,
rep. By its Chief Secretary,
Fort St. George, Secretariat,
Chennai-09.

2.The Home Secretary,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai-09.

3.The Secretary,
Highways Department,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai-09.

4.The Secretary,
Local Administration,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai-09.

5.The Director General of Police,
Tamil Nadu,
Chennai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the 1st respondent to issue circular to all District Collectors, all Corporations, all Municipalities, all Commissioner of Police and all Superintendent of Police and other concerned authorities to remove all the Statues, Religious Installations and Structures preventing free flow of Road Traffic or hindrance to public peace of all Highways



Roads, Streets, Lanes and By Lanes through out the State of Tamil Nadu, then only people will get maximum benefit of Roadways by considering the petitioner's representation dated 08.12.2014.

For Petitioner : Mr.K.K.Ramesh (Party-in-person)

For Respondents: Mr.M.Govindan
Special Government Pleader

ORDER

(The Order of the Court was made by S.NAGAMUTHU.J)

The petitioner, who claims to be the Managing Trustee of an organization viz., Tamil Nadu Centre for Public Interest Litigation, has come up with this writ petition under the guise of Public Interest Litigation, with the following prayer:

"To issue a Writ of Mandamus directing the 1st respondent to issue circular to all District Collectors, all Corporations, all Municipalities, all Commissioner of Police and all Superintendent of Police and other concerned authorities to remove all the Statues, Religious Installations and Structures preventing free flow of Road Traffic or hindrance to public peace of all Highways, Roads, Streets, Lanes and By Lanes through out the State of Tamil Nadu, then only people will get maximum benefit of Roadways by considering the petitioner's representation dated 08.12.2014."

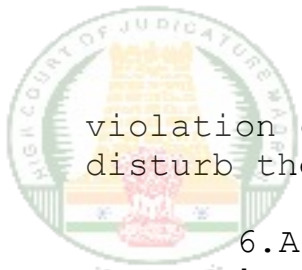
2.We have heard the party-in-person and the learned Special Government Pleader appearing for the respondents.

3.The Joint Secretary to Government, Home (Prohibition and Excise) Department, Secretariat, Chennai has filed a counter affidavit stating as follows:

"It is submitted that various road side encroachments are being cleared by police in consultation and co-ordination with revenue authorities. Free flow of traffic, in all congested areas is being ensured by posting additional traffic police, proper road engineering and placing barricades. Traffic police are instructed to ensure proper regulation of traffic for free flow of ambulance whenever emergency arises."

4.We have considered the above submissions. We have also perused the records carefully.

<https://hcservices.hcma.gov.in/hcservices/> the considered view that the petitioner has come up with an innocuous prayer, without specifying which are all the statutes or religious installations or structures, put up in



violation of any rules or regulations or Government Order so as to disturb the free flow of the traffic.

6.A perusal of the affidavit filed by the petitioner would go to show that very vague and general allegations have been made by the petitioner that statues, religious installations and structures are made, preventing free flow of traffic. Unless specific instances are cited, it is not possible for this Court to consider the prayer made by the petitioner. Therefore, in our considered view, there is no merit in this writ petition. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

- 1.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George, Secretariat, Chennai-09.
- 2.The Home Secretary, Government of Tamil Nadu,
Fort St. George, Secretariat, Chennai-09.
- 3.The Secretary,
Highways Department, Government of Tamil Nadu,
Fort St. George, Secretariat, Chennai-09.
- 4.The Secretary,
Local Administration, Government of Tamil Nadu,
Fort St. George, Secretariat, Chennai-09.
- 5.The Director General of Police, Tamil Nadu, Chennai.

+1 cc to M/s.K.K.Ramesh, Advocate in SR.No.53772

+1 cc to The Special Government Pleader in SR.No.54461

VS

CSL/CK/28.09.2016 :3P/8C

W.P. (MD) .No.2190 of 2015
20.09.2016