

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

CORAM

THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.8138 of 2017

and WMP.No.8921/2017

P.Arun Prabhu .. Petitioner

Vs.

- 1 The Commissioner
Corporation of Chennai
Ripon Building
Chennai - 600 003.
- 2 The Superintending Engineer
O/o.Corporation of Chennai
Ripon Building
Chennai - 600 003.
- 3 The Zonal Officer
Zone 06, Division No.72
No.45, Srp Koil Street
Periyar Nagar-Jawahar Nagar
Chennai - 600 082. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 1st respondent to consider the representation of the petitioner dated 8.8.2016 and consequently direct the 1st respondent to forbear the laying of roads in the streets of Zone-6, Division-72, Pulionthope, without peeling the roads therein.

For Petitioner

: Mr.Yusuf S.Q.
for M/s.Nathan and
Associates

For Respondents

: Mr.K.Soundararajan
Standing Counsel

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner, a practising lawyer, has filed this writ petition in public interest questioning the methodology applied in laying new roads.

2. The petitioner submits that the roads have been laid down by the contractors without peeling old roads, thereby causing hardship to the residents, as the road levels have been elevated.

3. From the averments made in the counter affidavit filed on behalf of the respondents, it appears that the roads have already been constructed. The roads have been constructed pursuant to the representations by the people of the locality.

4. This Court does not have the requisite expertise to adjudge which is the correct methodology for laying of roads. Ex facie, it appears to this Court that the laying of roads is in public interest, as roads are necessary for movement from one place to the other. An order directing the respondents to consider the representation of the petitioner at this stage after the roads have been laid will serve no fruitful purpose. However, the contentions of petitioner contained in the representation may be taken into consideration for repairs and further laying of roads in future.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.8921 of 2017 is closed.

सत्यमेव जयते

sd/-
Assistant Registrar

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Sub Assistant Registrar

sasi

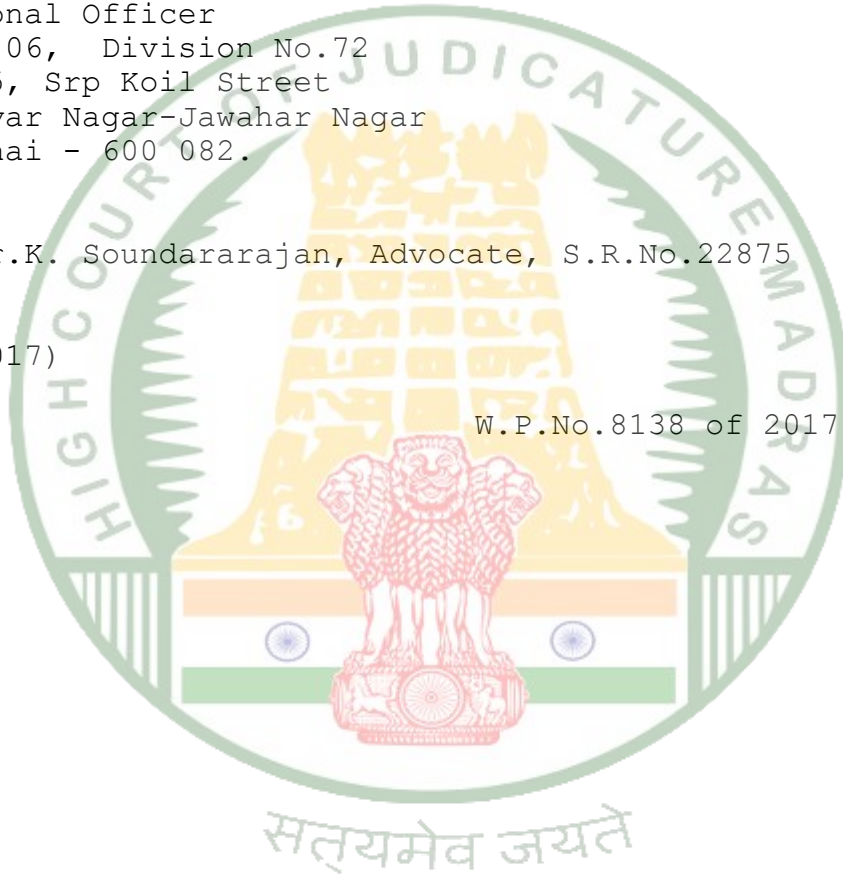
To:

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+1cc to Mr.K. Soundararajan, Advocate, S.R.No.22875

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W.P.No.8138 of 2017



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