

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 23.08.2017****CORAM :****THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P(MD)No.14549 of 2017**

R.Sasikumar

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its
Chief Secretary to Government,
Secretariat, Fort St George,
Chennai.
- 2.The Secretary to Government,
Public Works Department,
Government of Tamil Nadu,
Secretariat, Fort.St.George,
Chennai.
- 3.The Engineer-in-Cheif,
Public Works Department,
Construction and maintenance,
Chepack, Chennai.
- 4.The District Collector,
Office of the District Collector,
Thanjavur District, Thanjavur.
- 5.The Executive Engineer,
Office of the Superintending Engineer,
Akkini Aaru Basin Division,
Public Works Department.
Pattukottai, Thanjavur District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to appoint a committee of experts to conduct detailed examination and enquiry as to whether mixer of sand, cement and metals used in the construction of new Dam across the Neyveli Akkini River in Orathanaadu Taluk in Thanjavur District is in accordance with prescribed way and file report before this Court within the time stipulated by this Court.



For Petitioner : Mr.S.Malaikani
For Respondents : Mr.M.Govindan,
Special Government Pleader.

WEB COPY

O R D E R**(Order of the Court was made by G.R.SWAMINATHAN, J.)**

The petitioner complains that the construction of the new Dam across the Neyveli Akkini River in Orathanaadu Taluk in Thanjavur District was completed by using substandard materials. He submitted photographs and also media reports in support of his allegation. He had already submitted a representation dated 01.07.2017 and 20.07.2017 in this regard to the authorities concerned.

2.When the writ petition was taken up for disposal, the learned Special Government Pleader would rely on the quality control report and work completion report.

3.We are of the view that the said reports would not be conclusive of the issue raised by the writ petitioner. The writ petitioner has made very a serious allegation. Therefore such an allegation will have to be necessarily enquired into.

4.The fourth respondent herein is therefore directed to enquire into the matter. Since the allegation is that substandard materials were utilized, the fourth respondent will take the assistance of appropriate officials, who were not actually involved in the construction work. Unless an independent exercise is undertaken by the fourth respondent, the purpose will not be served. We therefore give sufficient time to the fourth respondent so as to undertake a comprehensive enquiry. The fourth respondent shall pass appropriate orders in accordance with law on the petitioner's representation dated 20.07.2017 within four months from the date of receipt of a copy of this order. The fourth respondent shall also inform the writ petitioner of the result of this enquiry.

4.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

1.The Chief Secretary to Government,
Secretariat, Fort St George, Chennai.



2.The Secretary to Government,
Public Works Department,
Government of Tamil Nadu,
Secretariat, Fort.St.George,Chennai.

3.The Engineer-in-Cheif,
Public Works Department,
Construction and maintenance,
Chepauk, Chennai.

4.The District Collector,
Office of the District Collector,
Thanjavur District, Thanjavur.

5.The Executive Engineer,
Office of the Superintending Engineer,
Akkini Aaru Basin Division,
Public Works Department.
Pattukottai, Thanjavur District.

+1cc to M/s.S.MALAIKANI Advocate in SR. No.74140

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.74509

SKM/ARUL

JS/GT/SAR.2/04.09.2017/3P-8C

W.P(MD)No.14549 of 2017
23.08.2017