

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.23865 of 2017

C.P.Senthilkumar Petitioner

vs.

1. The Principal Secretary to Government,
Highways Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Director General,
Highways Department,
Integrated Chief Engineers' Office,
HRS Campus, 76 Sardar Patel Road,
Guindy,
Chennai - 600 025.
3. The Chief Engineer,
Highways Department,
Construction and Maintenance
Integrated Chief Engineers' office,
HRS Campus, 76, Sardar Patel Road,
Guindy, Chennai - 600 025.
4. The Superintending Engineer (H)
Construction and Management,
Highways department - Coimbatore Circle,
Coimbatore - 18.
5. The Superintending Engineer (H),
Construction and Management,
Highways Department - Trichy Circle,
Trichy - 20.

6. M.Pandithurai,
Proprietor,
M/s. Hari Waylines,
No.346, Periyar Nagar,
Rajagopalapuram,
Pudukottai.
7. M/s. Rishi Enterprises,
Partnership Firm,
rep. By its Partners,
No.1028, Periyar Nagar,
Raja Gopalapuram,
Pudukottai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents 1 to 3 to conduct enquiry into the fraudulent activities committed by the registered contractors viz., respondents 6 and 7 and the officials colluded with them relating to the award of all contracts in both names in the entire State of Tamil Nadu and to take action on them, in accordance with law, including blacklisting by considering the petitioner's representation dated 26.08.2017 within a reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.D.Suriyanarayanan,
Additional Government Pleader for R1 to R5
Mr.K.V.Babu for R6
Ms.N.Lavanya for R7.

O R D E R

The petitioner seeks for a mandamus directing the 1st to 3rd respondents to conduct enquiry into the fraudulent activities made by the registered contractors viz., respondents 6 & 7 and the officials colluded with them relating to the award of all contracts in both names in the entire State of Tamilnadu in accordance with law and also by blacklisting them, by considering the petitioner's representation dated 26.08.2017.

2. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for respondents 1 to 5 and learned counsels appearing for 6th and 7th respondents.

3. The petitioner claims to be a contractor in the Highways Department. He has made a complaint against the 6th and 7th respondents, who are also Contractors under the same Department, as if they are getting contracts in one way or the other in

anyone of their names with the collusion of the officials of the Highways Department. Such complaint was made by the petitioner on 26.08.2017.

4. The grievance of the petitioner before this Court is that the said complaint is still pending and not yet considered by the respondents 1 to 3. 5. This Court at this stage, is not expressing any view on the merits of the complaint made by the petitioner as it is for the concerned officials viz., the 2nd respondent to consider and decide. Accordingly, this Writ Petition is disposed of only with a direction to the 2nd respondent to consider the representation of the petitioner dated 26.08.2017 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the respondents 6 and 7 and other concerned officials, against whom, the petitioner has made the allegation. The 2nd respondent will complete the enquiry and pass final order within a period of eight weeks from the date of receipt of a copy of this order. It is open to all parties to place the material documents in support of their contentions before the 2nd respondent at the time of enquiry. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
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Chennai - 600 009.

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4.The Superintending Engineer (H)
Construction and Management,
Highways department - Coimbatore Circle,
Coimbatore -18.

5. The Superintending Engineer (H),
Construction and Management,
Highways Department - Trichy Circle,
Trichy - 20.

+2cc to Mr.R.Neelakandan, Advocate SR.No.9346

+1cc to Mr.K.V.Balu, Advocate SR.No.9359

+1cc to the Government Pleader SR.No.9782

SDR 19.02.2018

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