

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA

W.P. No.13992 of 2018

and W.M.P.No.16523 of 2018

V.Soundararajan

.. Petitioner

-vs-

- 1.The Additional Chief Secretary
to the Govt. of Tamil Nadu,
Dept. of Highways and Minor Ports,
Secretariat, Chennai 600 009.
- 2.The Director General,
Highways, Guindy, Chennai 600 025.
- 3.The Director,
Highways Research Stations,
Sardar Patel Road, Guindy,
Chennai 600 025.
- 4.The Chief Engineer,
Highways Construction and Maintenance,
Guindy, Chennai 600 025.
- 5.The Superintending Engineer,
Highways Construction and Maintenance,
College Road, Tiruppur District.
- 6.The Divisional Engineer,
Highways Construction and Maintenance,
Dharapuram Division,
Dharapuram 638 656.
- 7.The Assistant Divisional Engineer,
Udumalpet Highways Construction and
Maintenance, Sub-Division, Gandhinagar,
Udumalpet 642 154.
- 8.The Assistant Engineer,
Udumalpet Highways Construction and
Maintenance, Section Office,
Gandhinagar, Udumalpet 642 154.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 4 to order for inspection of the newly laid roads in the Udumalpet Sub-Division in Tiruppur District by an experienced Civil Engineer from other departments under the Govt. of Tamil Nadu and if the roads are found to be defective take appropriate action including departmental proceedings and lodge criminal complaints against the concerned officials more particularly from the office of the 7th and 8th respondents then incharge of supervision and execution and also to debar the concerned contractors from participating in future bidding process based on the representation of the petitioner herein.

For Petitioner : Mr.M.Purushothaman

For Respondents : Mr.E.Manoharan,
Addl.G.P.

* * * * *

O R D E R

(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition has been filed seeking directions on respondent nos.1 to 4 to carry out inspection of the newly laid roads in Udumalpet Sub-division, Tiruppur District, by experienced Civil Engineer from some other department of Government of Tamil Nadu and to take appropriate action if the roads are found defective. Action has been sought against the Assistant Divisional Engineer and the Assistant Engineer, Udumalpet Highways Construction and Maintenance Sub-Division, Gandhi Nagar, Udumalpet.

2.In the affidavit in support of the writ petition, it is alleged that there is large scale corruption and scam in the laying of new roads and bridges in the Udumalpet Highways Construction and Maintenance, Sub-division. Last year, roads were constructed at an estimated cost of Rs.1 crore, but the condition of the road is poor causing inconvenience to tourists and making accident prone. It is stated that the section between Udumalpet to Senjerimalai constructed at an estimated amount of Rs.15 crores is in poor condition. The road looks very thin and has caved in at many places resulting in fatal accidents.

3.Learned Additional Government Pleader appearing on behalf of respondents has produced photographs of the roads in question taken on 3rd June and 9th June, 2018 respectively, as also the letter dated 11.06.2018 of the Divisional Engineer, Highways C & M, Dharapuram, and submitted that the roads are in good condition. Counsel submits that there are water pipelines

beneath the roads and when there are leaks in the water pipelines, the road has sometimes to be dug up for repair of the water pipelines. In the instant case, a part of the road was dug up by the TWAD Board to deal with leaks in the pipelines running below the road. The road has since been repaired. The letter dated 11.06.2018 from the Divisional Engineer to the Government Pleader be taken on record.

4. In the writ petition, allegations have been made of large scale corruption. There can be no doubt that corruption has to be stopped. Corruption should be dealt with. The authorities should ensure that there is no corruption and no waste of public funds. However, in the absence of any particulars whatsoever, no order can be passed in this writ petition.

The writ petition is, therefore, closed. No costs. Consequently, W.M.P.No.16523 of 2018 also stands closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sra

To

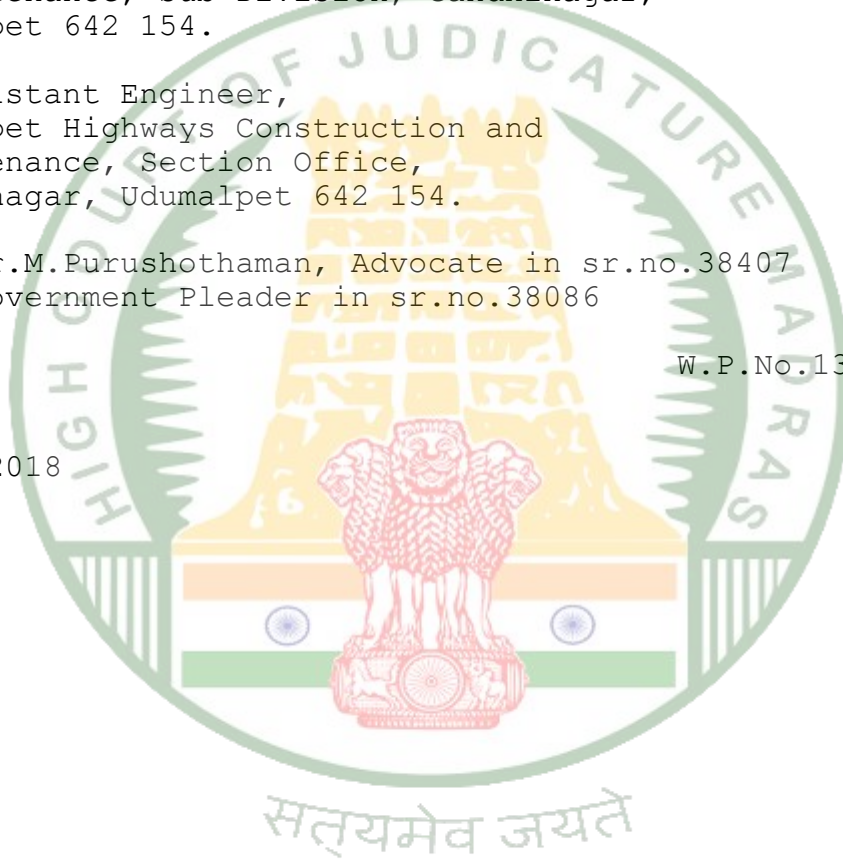
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+1cc to Mr.M.Purushothaman, Advocate in sr.no.38407
+1cc to Government Pleader in sr.no.38086

W.P.No.13992 of 2018

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nr 03/07/2018



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