

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.08.2019

C O R A M

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.15564 of 2017
and
W.M.P.No.16870 of 2017

J.Krishnakumar

... Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration and Water Supply
Department, Fort St.George,
Chennai - 9.
- 2.Tamil Nadu Water Supply and Sewerage Board,
Rep by its Director, Ezhilagam,
Chepauk, Chennai - 5.
- 3.The District Collector,
Coimbatore District,
Coimbatore.
- 4.Tamil Nadu Water Development Board,
Rep by its Executive Engineer,
Underground Sewerage Scheme,
Municipal Commercial Building,
Thali Road, Udumalpet.
5. Pollachi Municipality,
Represented by its Commissioner,
Pollachi.
- 6.M/s.Subbiah Constructions Company Ltd.,
New No.26, Soundarapandiyan Street,
Ashok Nagar, Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd Respondent to appoint an expert committee under the Chairmanship of the 3rd Respondent to inspect the construction and assess its quality with reference to the project (Underground Sewerage Scheme 2016-17) and upon such report to take action against the 6th Respondent and Officials concerned with reference to the project.

For petitioner : Mr.Krishna Prasad
for M/s.Sarvabhauman Asso.

For R1 and R3 : Mr.Akhil Akbar Ali
Government Advocate.

For R2 : Mr.R.Ganesh Babu

For R6 : Mr.B.Natarajan

For R4 and R5 : No Appearance

ORDER

(Order of the Court was made by S.MANIKUMAR,J)

Instant writ petition has been filed for a Writ of Mandamus, directing the Tamil Nadu Water Supply and Sewerage Board, rep by its Director, Chennai/the 2nd respondent, to appoint an expert committee under the Chairmanship of the District Collector, Coimbatore District/the 3rd respondent, to inspect construction and assess its quality, with reference to the project (Underground Sewerage Scheme 2016-17) and upon such report, to take action against the M/s.Subbiah Constructions Company Limited, Chennai/the 6th respondent and officials concerned with reference to the project.

2. In the supporting affidavit petitioner has contended that in April 2016, the Commissioner, Pollachi Municipality/the 5th respondent herein, has decided to implement the Underground Drainage Scheme, for 36 Wards coming under their municipal limits. They have decided to lay underground pipes covering a distance of 191 kms, to give sewerage connections to more than 16,000 houses and the other commercial establishments, under their Municipal Corporation. The said scheme has been approved by the 5th

respondent/Municipality and necessary funds to the tune of Rs.109 crores, have been sanctioned by the 2nd respondent, for implementing the said scheme and the 4th respondent was given the charge, to implement the said project throughout Pollachi Municipality. Sixth respondent/company was given the tender, to implement the project, throughout the Municipal limits.

3. Petitioner has further contended that the 4th respondent has stipulated several guidelines to be followed, while laying the pipe lines, constructing Pumping Station, lifting Station for the underground Drainage. Though, the project had commenced in the month of October 2016, the work was not progressing. Thereafter, the contractor started laying pipes by digging up the roads, which was laid in the month of July 2016 for a sum of Rs.8 crores, without following the guidelines stipulated by the 2nd and 4th respondents.

4. The pipes were in damaged condition. Despite the same, the contractor has gone ahead with laying of pipes without even rectifying the defects. Further, the materials used in constructing the chambers near the pipes were also a poor quality. Poor quality cement has been used for the construction of Chambers and thereby the Chamber walls developed cracks, within a week and the cement plastering started peeling off and they have not properly cured the chambers constructed by them.

5. Petitioner has further contended that digging of the road, laying of pipes and construction of chambers, were done in a haphazard manner without any supervision from an expert engineer. Further, the 4th and 5th respondents, have also not monitored the work done by the 6th respondent, due to his political clout.

6. That apart, the contractor has chosen a Cow Market in Pollachi to construct the pumping station though other vacant spaces, are available in that vicinity. Further, the 6th respondent, is constructing a drainage pumping station within few meters from the water pumping station, which is a source of a drinking water for the residents of Pollachi. Entire construction, carried on by the contractor, would itself prove the fact that the same was done without following the proper guidelines and without proper planning.

7. Petitioner has further contended that he is a resident of Nehru Colony, Pollachi who is affected by the

ongoing substandard underground sewerage project in his area and other parts of Pollachi. Having regard to the quality of the work done, the petitioner has sent a representation, dated 15.05.2017, to the 1st respondent with a copy marked to other respondents, calling upon them, to rectify the defects in the ongoing underground drainage scheme in Pollachi and to take necessary action against the officials who have colluded with the contractor, in the substandard work. The respondents did not consider the representation of the petitioner. Further, the official respondents, have not taken any action against the 6th respondent and the officials who had colluded with him. In these circumstances, petitioner has filed the instant writ petition, for the prayer stated supra.

8. Denying the averments made in the supporting affidavit, Managing Director, Tamil Nadu Water Supply and Drainage Board, Chennai/the 2nd respondent, has filed a counter affidavit, and the same is read thus:-

(i) Second respondent has submitted that the Government of Tamil Nadu during question hours in the year 2012, announced that about 22 Towns were proposed for the implementation of Under Ground Sewerage Schemes in which the Pollachi Municipality was one among those. Accordingly, the 5th respondent Municipality prepared a Detailed Project Report during the year 2013 for which Administrative sanction had been given by the 1st respondent vide G.O(D) No.531/ MA & WS (MA3) Department, dated 24.12.2014, for Rs.109.62 Crores to install and Rs.221.12 Lakhs, to maintain annually. Subsequent to that amendment order was issued vide G.O(D) No.9511/MA&WS(MA3) Department, dated 11.02.2015, in which it has been informed that 2nd Respondent/Board has nominated to implement scheme. Accordingly the 2nd and 4th respondents preferred a detailed Project Report and, it has been proposed to lay Under Ground Sewer pipes covering a distance of 191.00 Kms to give Sewage connections to 14000 houses and 2050 commercial establishments within Pollachi Municipality area. As per administrative sanction, it had been mentioned about fund tie up made for this project as given below.

Sl.No.	Source of funding	Amount in Crores
1	Loan from Kfw assisted SMIF - TN II-1	10.54
2	Grant from Kfw G.F-1	21.09
3	Grant from IUDM	67.45
4	Urban Local body Contribution	10.54
	Total Fund tie-up	109.62

For execution, trial run and 5 year period maintenance, tender had been called for by Tamil Nadu Water Supply and Drainage Board and the work has been awarded to the 6th respondent contractor and contract Agreement was concluded by the Chief Engineer, TWAD Board, Coimbatore vide registration No.CE/CBE/11/2016-17, Dated 30.9.2016 for a value of Rs. 118,67,64,505/-.

(ii) He further submitted that the execution works of Pollachi Municipality Under Ground Sewerage Scheme commenced on the 13th day of October 2016. Based on agreement, the contract placed the supply orders for the procurement of construction materials such as stone ware pipes, UPVC pipes, Cement and Manhole Cover and frames subsequent to that the third party inspection authority fixed by TWAD Board, by mentioning M/s.Dr.Amin Controllers Private Limited, Chennai had started Third Party Quality check inspection on 24th October 2016 and there afterwards materials had been delivered to work site. After delivery of materials at sites, required number of material samples had been taken for Quality check and handed over to TWAD Board, Quality Control Laboratory, Coimbatore from 7th November 2016 onwards. After approval of material samples vides test reports, the contractor was allowed to lay sewer lines. As such, the execution works were in progress. After getting permission from 5th Respondent/Municipality, the sewer line works had been started by the TWAD Board (4th Respondent). As per agreement condition all sites should have been handed over to the contractor on the day of commencement of contract period. Considering the convenience of general public, the works had been initially started in newly developed areas of the Town, instead of taking

works in thickly populated and commercial area and streets. During conveyance of stone ware pipes from faraway factories to work site and during unloading, some of stoneware pipes are damaged. Moreover, as per TWAD Board guidelines and CPHEEO Manual, the quality of materials and works are ensured at 3 stages.

1. Pre delivery/third party inspection on materials are done by private agencies.

2. Laboratory test on materials are done at TWAD Board , Quality Control Labs.

3. Field test on completion of each stretch such as smoke test, funnel test, flow test etc., will be carried out, in addition to the periodical inspection during execution by the Senior Engineers of TWAD Board and by the funding agencies such as TNUIFSL, TUFIDCO etc.,

According to the pre-delivery inspection certificates for pipes and Manhole frame were obtained from the approved Third party agencies Dr.Amin Controllers Private Limited, Mumbai as per TWAD Board guide lines.

Quality Control tests on pipes, steel, bricks, sand & hard broken Jelly were carried out as per IS specifications in the TWAD Board, Quality control laboratory. Quality control test on Sulphate Resistant Cement were carried out at Regional testing Lab, Department of industries and commerce, Coimbatore as per IS Specification.

(iii) He further submitted that the Damaged pipes are not considered for delivery from supplier, and pipes in good condition only are used for construction purpose. Payment is being made to the contractor for the good quality pipes only. The test reports received from Quality Control Laboratories are submitted here with. As such it is clear that good quality pipes supplied as per Indian Standard Specifications are only being used for the construction works apart from that good quality of cement is being used for this project. The cement sample had been taken for testing as early on 7th November 2016 and tested at Regional Testing Laboratory, Department of Industries and Commerce, Coimbatore - 14 and as per test result it is clear that the cement sample passed the required qualification. The Precast Slab, FRC Manhole Frame and Cover used in this scheme is of Fibre Reinforced Concrete of

Heavy Duty type to withstand Heavy load of Traffic (i.e. IRC class AA load). The Quality of FRC Doors also checked by Third Party Agency fixed by TWAD Board. Proper curing is being done for cement work structures. Samples had been taken from the materials supplied by the contractor at site and handed over to laboratories for quality analysis.

(iv) He further submitted that revised administrative sanction has been accorded for providing Under Ground Sewage Scheme to Udumalpet Municipality in Thirupur District vide G.O.Ms.No.38/MA&WS(MA3), dated 30.03.2012 for Rs.56.07 Lakhs. In order to effectively implement this project, 4th Respondent/Division office has been formed with following staff strength.

Sl.No.	Post	No. of Post
1	Executive Engineer	1
2	Assistant Executive Engineer	2
3	Assistant Engineer/Junior Engineer	4
4	Senior Drafting officer	1
5	Junior Drafting officer	1
6	Assistant Account Officer	1
7	Assistant	2
8	Junior Assistant	2
9	Steno Typist	1
10	Record Clerk	1
11	Office Assistant	2
12	Watchman	1
	Total	19 Nos.

(v) He further submitted that the UGSS works to Udumalpet Municipality commenced on 23.04.2013 and completed on 30.6.2016. Now the scheme is under trial run. As per TWAD Board circular, the Urban local body has to provide accommodation for TWAD Board Division Office. Accordingly, the Sewerage Division, Udumalpet is being functioning at Municipal Shopping Complex, Thali Road,

Udumalpet till date. After fixing agency for the execution of UGSS works to Pollachi Municipality in Coimbatore District, the same work is being looking after by Sewerage Division, Udumalpet. At present the following Technical Staff are being engaged for the supervision works of UGSS to Pollachi Municipality.

Sl.No.	Name	Designation
1	Thiru.K.Balasubramanian	Executive Engineer
2	Thiru.C.Pattabi	Assistant Executive Engineer
3	Thiru.I.Prakash	Assistant Engineer
4	Thiru.P.Murugaraj	Assistant Engineer

(vi) He further submitted that the scheme is being monitored by the Chief Engineer, TWAD Board, Coimbatore and Superintending Engineer, TWAD, Erode- Tiruppur- Karur Circle, Erode. The scheme is also being monitored by the Assistant Executive Engineer (Quality Assurance and Technical Audit), Office of the Superintending Engineer, Erode- Tiruppur- Karur Circle, Erode and reports sent to Head office periodically Prioritization. Regarding digging of roads, the implementing Agency (4th Respondent) is being made Consultation with 5th Respondent / Municipal Officials regarding the prioritization of Streets, Road, which digging Works to be taken up in phased manner so as to avoid any inconvenience to general public Accordingly the works are being taken up by the 6th Respondent/contractor. Before execution, each house is intimated through notice that the work is commencing in the street and acknowledgment from houses are also being obtained. Hence, proper planning is done while digging the roads during execution of works. The Municipal Engineer, the Municipal Assistant Engineers of Pollachi Municipality, are inspecting this project then and there. The Regional Engineer, Office of the Regional Director of Municipal Administration, Thirupur has also inspecting this project periodically. One of the Officials of Tamil Nadu Urban Infrastructure Financial Services Ltd, 19, TP Scheme road, Ramakrishna Nagar, Raja Annamalaipuram, Chennai - 600 028,

Thiru, V. Ananda Natarajan (Technical Consultant) had also inspected the scheme on 21st April 2017. One of the Officials of Tamil Nadu Urban Finance and Infrastructure Development Corporation Ltd, Anna Salai, Nandanam, Chennai - 35, Thiru. N.K.Janakiraman B.E., State Quality Monitor (Schemes) had also inspected the scheme on 27th April 2017. As such inspections of Funding Agencies are going on. So far there is no adverse reports/comments from the inspection authorities. Therefore, the 4th Respondent has also made a request to 5th Respondent/Municipality to provide accommodation facility for Sewerage Division at Pollachi. As 5th Respondent's new Office building construction is nearing completion, time being the site office of the 4th Respondent is functioning at 22, Thiruvalluvar Street, Arumugam Nagar, Mahalingapuram, Pollachi.

(vii) He further submitted that the petitioner J.Krishnakumar, S/o.Jeganathan, resident of Door No.124, Nehru Colony, Mahalingapuram, Pollachi has also used to come to this site office then and there. After completion of the Office building of the 5th respondent, the Office of the 4th respondent will find a place at the new building. The Tamil Nadu Pollution Control Board, Chennai has given "Consent to Establish" the project upto 31.03.2018, vide consent Order No.170327189071, dated 10.02.2017 Proceeding Nos.

1)	TNPCB	Lr.No.
T13ATNPCB/F.1326CBS/RL/CBS/A/2017/Dt.		10.2.2017.
2)	TNPCB	Lr.No.
T13/TNPCB/F.1326CBS/RL/CBS/W/2017/Dt.		10.2.2017.

(viii) He further submitted that the Divisional Railway Manager (Works), Palaghat has given permission for 5 Track Crossings on 3.5.2017 and One Track crossing on 7.6.2017 and one more Track crossing is in process. The State Highways Department has also given Demand Notice to remit road restoration charges on 24.11.2016, so as to give permission to lay sewer lines along and across the State Highways Roads. The National Highways Department has also processing the permission proposal submitted by the 4th Respondent. The milestone fixed for the progress of work up to 3rd Quarter of Agreement period is

25%. During past 4 months the cost of sand has increased very High and sufficient quantity not available to procure. Even then, with increased cost of sand, the contractor has shown better progress upto 30%. The 4th respondent knows very well about the importance and necessity of this UGSS project and no ways shows scant interest in assuring the quality of the project. The finding agencies have programmed to have periodical inspections; the public money is no way being pumped as waste.

(ix) He further submitted that the excavation of Earth along the roads is being taken up in a systematic manner such that nobody feels to suffer. Every excavation is being done purposefully for the construction of Manholes, laying of sewer lines and house service connections. After consolidation, the road surface will be restored with concrete material to get back to original position. The Sewage Treatment Plant site has been selected, as per approved design requirements of the UGSS Scheme by 5th respondent and handed over to 4th respondent for construction. The consent to establish for the Sewage Treatment Plant, at Cow Market in Pollachi Town has also given by Tamil Nadu Pollution Control Board upto 31.03.2013. It shows that respondents 4 and 6, have no intention in the selection of STP at Cow Market. Regarding the experience of the 6th respondent, the details of works executed by the firm at various Government Organizations and the Experience Certificates from the implementing Agencies have been considered, at the time of Tendering itself. Based on the Pre-qualification fixed for the Project, the firm has got succeeded the Project and the work was awarded to the Contractor. Hence, the allegation against the experience of 6th respondent, is false. There is no Political Clout as claimed against 6th respondent. Hence the statement made by petitioner, is false.

(x) He further submitted that the works of Under Ground Sewerage Scheme to Udumalpet Municipality in Tiruppur District, has been awarded to the 6th respondent by observing all tender formalities in force. The said works to Udumalpet Municipality commenced on 23.04.2013 and completed on 30.6.2016. Now, the scheme is

under trial run. The works were executed in National Highway Roads as part of work. After completion of works, the National Highways Authorities, taken up road widening work within Udumalpet Municipal limit. Already laid sewer lines and constructed Man holes at 6 places have to be shifted to the present extended boundary edge. The road restoration works had been taken up by the State Highways in State Highways roads, National Highways in National Highways roads and by Udumalpet Municipality in the roads maintained by the said Municipality. During restoration of works by the above Departments, heavy machineries had been used and at that time wet mix and BT used for restoration find its way into sewer system and blocked sewage flow at some places. The man holes frames and covers in some places had got damaged while Paving Road and other works with heavy machineries during restoration of roads. However, the Damage had been rectified by the respective Departments who damaged the system.

(xi) He further submitted that the 6th respondent has carried out the execution of UGSS works in Pollachi Municipality as per terms and conditions as stipulated in the Agreement. Petitioner is having frequent touch with the 4th respondent and informing the difficulties faced by the General Public for early solution. Accordingly, the 4th respondent has taken utmost care in early restoration of water supply house service connections damages and removal of surplus earth left out at work spots by informing 6th Respondent then and there. The above submissions make it clear that the 4th respondent is in no way being colluded with the 6th respondent.

(xii) He further submitted that all works are being carried out as per agreement terms and conditions. The works are being monitored by the 4th respondent and all other officials in effective manner so as to maintain quality standards. Material qualities are being checked by Third Party Inspection authorities. Further, the samples of materials taken from site are being tested at Quality Control Laboratories. Based on above, the works are executed only with Quality standards and the claim by Petitioner for

substandard Quality of work is not correct. The left out surplus earth are being cleared by the 6th respondent without delay. All permissions such as TNPCB, State Highways, Southern Railway have been got well in advance. Hence, it is very well possible to complete the project within the stipulated time as in agreement. Even though, the construction material (sand) is not able to get from Government approved quarries and the cost is much higher, the 6th Respondent shows better progress. If the Project works are stopped, the people of Pollachi Municipality will be going to face insanitation problems.

9. When the matter came up for hearing on 15.12.2017, this Court passed the following order:-

"The petitioner, by way of this Public Interest Litigation, has raised certain issues with regard to the quality of the underground sewerage project undertaken by the sixth respondent in Pollachi.

2. The petitioner's allegation is that the sixth respondent, who is the contractor, was awarded with a contract for Underground Sewerage Scheme in Udumalpet and the entire project collapsed. Further allegation is that, substandard products have been used; no scientific planning has been done; and the contractor is proceeding at his whims and fancies, without following the guidelines issued by the Tamil Nadu Water Supply and Sewerage Board and Tamil Nadu Water Development Board.

3. Earlier, the Hon'ble First Bench had directed the District Collector/third respondent to give appropriate instructions to the learned Government Pleader, who accepted notice on behalf of the respondents 1 to 3. It appears that the said order was not communicated to the learned Government Pleader. Hence, we direct the District Collector/third respondent to ascertain full facts and file a status report. The District Collector is at liberty to engage an independent Agency for evaluating the project.

4. Notice to respondents 5 and 6 through Court as well as privately, for the hearing on 29.01.2018."

10. Similarly, the District Collector, Coimbatore District, the 3rd respondent, has filed the counter affidavit, dated 25.01.2018, and the same is extracted hereunder:-

(i) District Collector, Coimbatore District has submitted that petitioner's allegations, are that the contractor is proceeding with the underground Sewerage Scheme at his whims and fancies without following the guidelines issued by the Tamil Nadu Water Supply and Sewerage Board. In this connection, he being the third respondent in the above writ petition, was directed by this Court to engage an independent agency for evaluating the project. The concern Pollachi Municipality within whose jurisdiction the underground drainage sewerage system works are carried out, in its letter dated 10.01.2018, requested him to constitute an independent agency to evaluate the works carried out by the constructor, the 6th respondent in the above writ petition. From the discussions with the Commissioner, he learnt that the administration sanction for the scheme was accorded in G.O.No.531(D), Municipal Administration and Water Supply Department, dated 24.12.2014 and the amount sanctioned is Rs.109.6 Crores. The beneficiaries, are the general public in 36 wards in Pollachi Municipality. Now, the works are in progress. From the letter addressed to him by the TWAD Board, overall a physical progress took place for 37% and the financial progress is also 37%.

(ii) He further submitted that therefore ascertain as to whether the works carried out by the contractor, the 6th respondent was in accordance with the specification and the works are in proper standard, he written a letter on 17.01.2018 to the Principal, Government College of Technology in ROC.No.850/2016/C6 to nominate two resource persons, who are well versed with the civil engineering and allied subject matters. In response to his letter, the Principal, Government College of Technology, Coimbatore nominated two experts namely Dr.Thenmozhi and Dr.J.Jeyanthi, both are Associate Professors in Civil Engineering by his letter dated 18.01.2018. Based on the letter he has constituted the two

member Committee comprising the above said members in ROC.No.850/2018/C6, dated 18.01.2018. The concern individual members are informed about the constitution of the expert committee and they have received the letter addressed to them on 19.01.2018. In the said letter, the experts are directed independently to carry out the tasks designated to them. Further, the concern Pollachi Municipality, TWAD, Board are also directed to render necessary assistance and cooperation to the expert committee.

11. Pursuant to the direction given by the District Collector, Coimbatore District, the Commissioner, Pollachi Municipality, the 5th respondent has filed a counter affidavit, which reads thus:-

(i) Commissioner, Pollachi Municipality, Pollachi/the 5th respondent, has submitted that to implement the under ground sewerage scheme in Pollachi Municipality, prepared a detailed project report. Accordingly, an administrative sanction given by the Government in G.O.(D). No.531/M.A.WS(MA3), Department, Dated 24.12.2014 for a sum of Rs.109.62 Crores, The project covered an area of 36 wards in Pollachi Municipality. The proposed underground sewerage, pipes covered a distance of 191 kms to give sewerage connection to 14,000/- houses and 2050 commercial establishments, within the limit of fifth respondent. To carry out the said sewerage works the 6th respondent was entrusted with the contract work as concluded by the 2nd respondent, dated 30.09.2016.

(ii) Commissioner, Pollachi Municipality, Pollachi/the 5th respondent, has further submitted that after getting permission from him, the 2nd respondent has started the sewerage line works. As per the direction of 2nd respondent, the TWAD, the 6th respondent started the works initially outer portion of the Town limit, i.e. in newly development areas instead of taking works in thickly populated and commercial areas. The 6th respondent has given guidelines regarding the quality of materials and the works to be carried out. The quality of the material used such as pipes, steel, bricks and broken jelly are in IS specification as fixed by TWAD quality control laboratory. Before execution of the

works, each house is intimated through notice that the work is commencing in the Street, proper planning is adopting while digging the roads during execution of works. Fifth respondent is personally inspecting the project then and there.

(iii) He further submitted that the excavation of earth along the roads is being taken up in a systematic manner that nobody feels to suffer. Every excavation is being done purposefully for the construction of manholes, laying of sewer lines and house service connection. After consolidation the road surface will be restored with concrete materials to get back to original position. The 6th respondent has been caring out the execution of UGSS works of Pollachi Municipality as per terms and condition as stipulated in the contract entrusted to them. The petitioner is a local resident having house at Mahalingapuram in Pollachi Town. Whenever the petitioner informed the difficulties faced by the General public by the works, fifth respondent would supervise the works of 6th respondent and advise the 6th respondent to restore the water supply service connection damages and the removal of surplus earth left out at work spots by advising the 6th respondent then and there. Even during the periodical review meeting, the 6th respondent was advised by the fifth respondent to carryout the works properly. Even necessary letters were sent to the 4th respondent advising the 6th respondent to carryout the works in accordance with the specification of the contract. Now, the works are in progress and an overall a physical progress took place for 37% and the financial progress is also 37%.

(iv) He further submitted that to ascertain as to whether the works carried out by the 6th respondent was in accordance with specification and the works in proper standard, this Court has directed the 3rd respondent, the District Collector, Coimbatore, to engage an independent agency for evaluating the project. He written a letter on 10.01.2018 to the 3rd respondent District Collector, Coimbatore to constitute an independent agency to evaluating the works carried out by the contractor, the 6th respondent in the above writ petition. The 3rd respondent also constituted a Committee comprising of two

experts namely Dr.Thenmozhi and Dr.J.Jeyanthi Associate Professors in Civil Engineering working in Government College Technology, the individual members have received the appointment order of the 3rd respondent and he has provided them with all assistance which they need to carryout their tasks of evaluating the UGSS Project in Progress at Pollachi.

12. Pursuant to the above, vide Ref.No.5476/2019/C2, dated 23.07.2019, the District Collector, Coimbatore District, has sent a letter, to the Government Pleader, High Court of Madras, along with the report of the two member committee, dated 26.02.2019, on construction and assessing the quality ongoing 'Underground Sewerage Scheme 2016-17' in Pollachi Municipality, are extracted hereunder:-

From	To
K.Rajamani, I.A.S.,	The Government
Pleader,	
District Collector,	High Court o f
Madras,	
Coimbatore.	Chennai.
Ref.No.5476/2019/C2	Date: 23.07.2019.
Sir,	

Sub : Writ Petition - Coimbatore District
- Pollachi Municipality 'Underground
Sewerage Scheme 2016-17' - W.P.15564 of
2017 - filed by Thiru.J.Krishakumar - Directions
to inspect the construction and assess
the quality of the project - Directions of
the Hon'ble High court, Madras - Two
member committee - Report received - Regarding.

Ref : 1. Order of the Hon'ble High
Court, Madras in W.P.15564 of 2017,
dated 15.12.2017.

2. Proceedings of the District
Collector,
ref.no.850/2018/c6 dated
18.01.2018.

3. Report submitted by the two member
committee dated: 26.02.2019.

I invite your kind invitation to the
references cited.

I submit to state that in the reference 1st
cited, the Hon'ble High Court of Madras in its

order dated 15.12.2017 in W.P.No.15564/2017 filed by Thiru.J.Krishnakumar against Secretary, MA & Ws Department Chennai & 5 others, has directed the District Collector, Coimbatore to ascertain full facts to assess the quality of 'Underground Sewerage Scheme 2016-17' of Pollachi Municipality. The Hon'ble High court has also observed that the District Collector is at liberty to engage an independent agency for evaluating the project. Accordingly vide reference 2nd cited, a two member committee was constituted, comprising the following members to assess the quality of the said work.

1. Dr.Thenmozhi,
Associate Professor,
Civil Engineering,
Government College of Technology, Coimbatore.
2. Dr.J.Jayanthi,
Associate Professor,
Civil Engineering,
Government College of Technology, Coimbatore.

The committee had inspected the site on 29.01.2018 and on 08.05.2018 and submitted its report vide reference 3rd cited. The committee had submitted the report based on the site visits, assessing design data, conducting various tests like visual observations, test on materials (cement, sand and steel rods) & etc.. They have concluded that the materials collected from the construction site are in accordance with Indian Standard Specifications and quality of the construction is good. The report given by the two member Committee is annexed herewith. Hence based on the report of the committee it is ascertained that there is no adverse opinion as to quality of the construction is concerned and thus report along with copy of report of the Committee may be filed as status report before the Hon'ble High Court of Madras.

Encl: Report of the committee.

Yours faithfully,
District Collector,
Coimbatore.

Government College of Technology,
Coimbatore - 13

26.02.2019

Submitted to the District Collector:

Sub : Court Cases - W.P.15564 of 2017 -
Pollachi Municipality Underground Sewerage
Scheme 2016-17 Thiru.J.Krishnakumar
- filed W.P.15564 of 2017 - Prayed to
inspect the construction and assess the quality
of the project - Direction of the Hon'ble
High Court - Constituting two member
committee - regarding.

Ref: (1) Deputy Superintending Engineer and
Commissioner, Pollachi Municipality,
Lr.No.6364/2006/E1

dated 30.11.2017.

(2) Order of the Hon'ble High Court
Madras, in W.P.15564 of 2017 dated
15.12.2017.

(3) Commissioner, Pollachi Municipality,
Lr.No. 6364/2006/E1 dated 10.01.2018.

(4) District Collector's Proceeding. No.
Roc.850/2018/C6 Dated
17.01.2018.

(5) District Collector's Proceeding. No.
Roc.850/2018/C6 Dated
18.01.2018.

(6) Executive Engineer, TWAD Board, Lr.
No. F.Court Cases/Pollachi GSS/J
DO/2018/Dated 22.01.2018.

With reference to the letter cited in Ref(4),
We Dr.R.Thenmozhi, Professor of Civil Engineering
and Dr.J.Jeyanthi, Professor of Civil
Engineering, Government College of Technology,
are nominated as resource persons for inspecting
the construction and assessing the quality of the
ongoing 'Underground Sewerage Scheme 2016-17' in
Pollachi Municipality.

To inspect the quality, the site visits were
made on 29.01.18 and on 08.05.2018. Based on the
site visits, design data and test reports
provided by TWAD Board and tests on construction
materials performed at Government College of
Technology, Coimbatore the report is submitted
herewith.

Dr.J.JEYANTHI
Professor of Civil

Dr. R.THENMOZHI

Engineering Professor of Civil Engineering
Enel: As above (4 page report)

Government College of Technology, Coimbatore - 13
Department of Civil Engineering
Report on the construction and assessing the
quality ongoing 'Underground Sewerage Scheme
2016-17' in Pollachi Municipality

1.0 GENERAL:

The site visits were made on 29.01.18 at Zone 5, Kumaran Nagar and 08.05.2018 in Nehru Colony, ward No.7 in Mahalingapuram to inspect and assess the construction quality of Underground Sewerage Scheme 2016-17' in Pollachi Municipality. During the inspection various stages and various locations were inspected.

2.0 VISUAL OBSERVATIONAS:

Inspection of Manholes and Laying of pipes in Vivekanandar Street, Mahalingapuram was done. The Ground level and invert level pertaining to Manhole No.857 to 863 as mentioned below were observed.

S.No .	Manhole Number	Ground Level	Invert Level
1	857 (Head Manhole)	305.45m	304.45m
2	858	304.07m	302.936m
3	859	303.45m	302.45m
4	860	302.59m	301.31m
5	861	301.89m	300.89m
6	862	302.44m	301.44m
7	863	303.22m	301.22m

In addition at various locations, Branch Sewer, Lift station and suction well were inspected. The branch sewer (BS) No.134 was inspected. In Rajarajeswari Nagar, Lift Station 3 (Suction well) and Lift Station 16 were inspected. The details of the suction well whereas follows.

Ground level : 301.56
Invert level : 297.42
Depth : 3.94m
Diameter : 2.5m

The Total Number of Pumping Stations are five. The Pumping Station-1 (PS-1) at Marapettai was inspected. The details of PS-1 is as follows.

S.No	Component	Stage of Completion
1	Grit Chamber	Completed
2	Screen Chamber	Earthwork Excavation was in Progress
3	Collection well	Yet to start

The following Visual observations were made.

1. Site observations were made during the process of the earthwork excavation (MH 1142 to 1143), Proper placement (i.e., bedding) for pipe section(MH 1440 to 1441) and joining of pipe sections (MH 1439 to 1440)

2. The minimum adopted diameter of sewer is 200 mm and a minimum crushing strength of 1,600 kg/m was observed, which is as per CPHEEO (2013) manual on Sewerage and Sewage Treatment Systems Part A Engineering.

3. Construction of backwork manholes was found to confirm with the CPHEEO standards.

4. Type of Bedding: Class C with compacted granular bedding of thickness (CPHEEO., 1993 Standards - 0.2 m below invert pipe level) 0.12 m below invert pipe level was provided.

5. Spigot and socket joint (rigid and semi flexible) were provided.

6. Flow test: Conducted between Manhole 857 and 863. The leakage or quantity of water supplied to maintain the test pressure during the period of 10 minutes did not exceed 0.2 litres/mm dia. of pipes per kilometre length per day.

7. Pipes have been visually inspected for evidence of damage with particular emphasis laid on examination of the joint surfaces which may have been damaged by impact during transit or during off loading and handling at site.

3.0 TEST ON MATERIALS:

The test certificates for various building materials issued by quality control laboratory of TWAD Board was verified. To verify the test certificates already made, some samples were collected from site and the test results are given below.

3.1 TEST ON CEMENT

Properties of cement for sample - I				Recommended values as per BIS
1	Consistency	:	30%	
2	Specific gravity	:	3.15	
3	Initial setting time	:	38 minutes	Not less than 30 minutes
4	Final setting time	:	382 minutes	Not more than 600 minutes
Properties of cement for sample - II				
1	Consistency	:	%	
2	Fineness (By Dry Sieving)	:	3.00%	Not more than 10%
3	Initial Setting Time	:	47.00 Minutes	Not less than 30 minutes
4	Final Setting Time	:	424.00 minutes	Not more than 600 minutes

3.2 TEST ON SAND AND COARSE AGGREGATE

A. Fine Aggregate SAND			
1.Sieve Analysis			
Sieve size	% Passing	Grading as per IS 383	Test Result
4.75mm	100.00	The given sand conforms to Zone - II grading	Passed
2.36mm	96.50		
1.18mm	85.00		
600mic	30.00		
300mic	3.50		
150mic	0.00		
2. Specific gravity	2.69	More than 2.50 OK	
B. Coarse Aggregate - 100 mm			
1.Sieve Analysis			
Sieve size	% Passing	Grading as per IS 383	Test Result

B. Coarse Aggregate - 100 mm			
1.Sieve Analysis			
12.50mm	100.00	100.00	Passed
10mm	87.73	85 - 100	
4.75mm	3.02	0-20	
2.36mm	0	0-5	
2.Specific gravity	2.70	More than 2.50 OK	
3.Aggregate Crushing Value in %	29.54	Not Exceed 45%	
C.Coarse Aggregate - 20 mm			
1.Sieve Analysis			
Sieve size	% Passing	Grading as per IS 383	Test Result
40 mm	100.00	100.00	Passed
20 mm	87.66	85 - 100	
10 mm	11.36	0 - 20	
4.75 mm	0	0 - 5	
2.Specific gravity	2.71	More than 2.50 OK	
D.Coarse Aggregate - 20 mm			
1.Sieve Analysis			
Sieve size	% Passing	Grading as per IS 383	Test Result
40	100.00	100.00	Passed
20	94.09	85 - 100	
10	1.20	0 - 20	
4.75	0.18	0 - 5	
Residual	0		
2.Specific gravity	2.55	More than 2.50 OK	
E. Coarse Aggregate - 40 mm			
1. Sieve Analysis			
Sieve size	% Passing	Grading as per IS 383	Test Result

E. Coarse Aggregate - 40 mm			
1. Sieve Analysis			
63	100.00	100.00	Passed
40	100.00	85-100	
20	18.23	0-20	
10	1.43	0-5	
Residual	0		
2. Specific gravity	2.66	More than 2.50 OK	

3.3. TEST ON STEEL ROD - WEIGHT/METRE RUN TEST

Sl.No	Stated diameter (mm)	Weight/metre run test (kg/m)	Recommended minimum weight (kg/m)
1	6	0.215	0.213
2	8	0.370	0.363
3	10	0.610	0.568
4	12	0.837	0.835
5	16	1.505	1.485

3.3. TEST ON STEEL ROD - STRENGTH TEST

S.No	Stat ed Dia. (mm)	ID	Uni t Wt of Kg/m	Area (Sq.m m)	Proof/ Yield (MPa)	Ultima te STRESS (MPa)	% of Elong ation	Resu lt
1	8 mm	Tirum ala TMT 500	.37	46.62	623.71	789.08	23.07	Pass ed
2	10 mm	GBR TMT 500	0.6 1	77.32	567.61	687.10	28.92	Pass ed
3	12 mm	Kamac hi TMT 500	0.8 4	106.5 0	543.26	616.32	22.61	Pass ed
4	16 mm	Tirum ala TMT 500	1.5 2	194.1 4	521.65	712.29	21.90	Pass ed

All the materials collected from the construction site are in accordance with Indian Standard Specifications.

4.0 CONCLUSION

Based on site visit observations and produced test certificates and cross verification of samples used at site at Strength of Materials Laboratory of Govt. College of Technology, Coimbatore it is hereby reported that the quality is good.

Dr.J.JEYANTHI
Professor of Civil Engineering

Dr. R.THENMOZHI
Professor of Civil Engineering

13. In the light of the above report, prayer sought for is answered. No further direction, is required. Writ petition is disposed of. No Costs. Consequently, the connected writ miscellaneous petition, is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
State of Tamil Nadu,
Municipal Administration and Water Supply
Department, Fort St.George,
Chennai - 9.
- 2.The Director,
Tamil Nadu Water Supply and Sewerage Board,
Ezhilagam, Chepauk, Chennai - 5.
- 3.The District Collector,
Coimbatore District,
Coimbatore.
- 4.The Executive Engineer,
Tamil Nadu Water Development Board,
Underground Sewerage Scheme,
Municipal Commercial Building,
Thali Road, Udumalpet.

5.The Commissioner,
Pollachi Municipality,
Pollachi.

+1cc to Mr.Sarvabhuman , Advocate SR.No. 67039
+1cc to Mr.R.Ganesh babu , Advocate SR.No. 67398
+1 cc to Government Pleader Sr.No. 6805

W.P.No.15564 of 2017
and
W.M.P.No.16870 of 2017

spd
A.SK(20/09/2019)