

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.10288 of 2020

S.Santhanam

.. Petitioner

Vs

- 1.The Under Secretary to Government,
Highways Department,
Secretariat, Chennai - 600 009.
- 2.The Divisional Engineer,
National Highways, Chennai - 600 106.
- 3.The District Collector,
Chengalpattu District, Chengalpattu.
- 4.The Superintendent of Police,
Chenglepet District.
- 5.The Inspector of Police,
H-3 Police Station, Guduvancheri,
Chengalpattu District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus directing the respondents to remove the iron pillars erected by the fifth respondent in the U turn opposite to the Nandivaram Primary Health Center at Guduvancherry.

For Petitioner .. Mr.R.Prabhakar

For Respondents .. Mr.G.K.Muthukumar,
Spl. G.P.

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner, who is a practising Lawyer, has come forward to file this writ petition styling it as a public interest litigation, seeking a direction to the respondents to remove the iron pillars erected by the fifth respondent in the 'U' Turn.

2. The learned counsel appearing for the petitioner submitted that the 'U' Turn could not be used in view of the iron pillars erected by the police officials. They also hinder the usage of primary health centre. Therefore, appropriate orders will have to be passed in this regard.

3. The learned Special Government Pleader appearing for respondents submitted that the petitioner is running a concern by name Rasi Textiles. Therefore, the petitioner has got personal interest in this regard. The iron pillars have been erected keeping in mind the frequent accidents that were taken place earlier. In fact, fatal accidents were also taken place which resulted in the registration of the cases for offence punishable under Section 304-A of IPC. Thus the request of the petitioner cannot be considered.

4. Though we do not find any public interest involved we are not inclined to go into the said issue. The contention of the learned counsel for the petitioner that the private concern is being run by his father does not impress us. Further more, there is a public interest involved in the erection of iron pillars - to avoid the accidents. This court cannot substitute its views to that of the competent authority. Accordingly the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

raa/kmk

To

1.The Under Secretary to Government,
Highways Department, Secretariat, Chennai - 600 009.

2.The Divisional Engineer, National Highways, Chennai - 600 106.

3.The District Collector, Chengalpattu District, Chengalpattu.

4.The Superintendent of Police, Chenglepet District.

5.The Inspector of Police, H-3 Police Station, Guduvancheri,
Chengalpattu District.

+lcc to Government Pleader SR.No.26743

W.P.No.10288 of 2020

RSV(CO)

GMV (28/08/2020)