



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2020

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

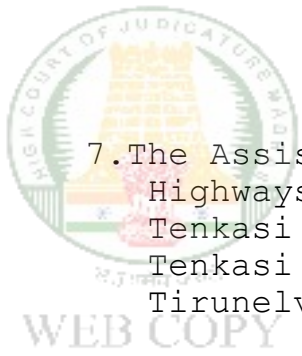
W.P(MD)No.950 of 2019

C.Ganesh

... Petitioner

Vs.

- 1.The Chief Engineer,
Highways Construction and Maintenance,
Sardar Vallabhai Patel Road,
Guindy,
Chennai.
- 2.The Divisional Engineer,
Highways Construction and Maintenance,
Tirunelveli and Tenkasi,
Tirunelveli.
- 3.The Superintending Engineer,
Highways Construction and Maintenance,
Tirunelveli Circle,
Tirunelveli.
- 4.The Assistant Engineer,
Highways Construction and Maintenance,
Nanguneri Highways Sub Division,
Tirunelveli (C&M) Division,
Tirunelveli.
- 5.The Assistant Engineer,
Highways Construction and Maintenance,
Cheranmahadevi Section,
Ambasamudiram Highways Sub Division,
Tirunelveli (C&M) Division,
Tirunelveli.
- 6.The Assistant Engineer,
Highways Construction and Maintenance,
Nanguneri Highways Sub Division,
Tirunelveli (C&M) Division,
Tirunelveli.



7.The Assistant Engineer,
Highways Construction and Maintenance,
Tenkasi Highways Sub Division,
Tenkasi Division,
Tirunelveli District.

8.The Assistant Divisional Engineer,
Highways Construction and Maintenance,
Ambasamudram Highways Sub Division,
Tirunelveli 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 herein to dispose of the representation of the petitioner dated 23.11.2018 within a time frame stipulated by this Court.

For Petitioner : Mr.Saravanan
for Ms.R.Saraswathi

For Respondents : Mr.K.Chellapandian
Additional Advocate General
assisted by
Mr.VR.Shanmuganathan
Special Government Pleader

Mr.K.P.Narayanakumar - Advocate Commissioner

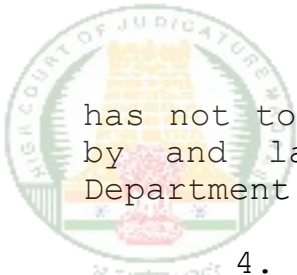
ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The petitioner has filed the above writ petition seeking to issue a writ of Mandamus to direct the respondents to dispose of the representation of the petitioner, dated 23.11.2018 within a time frame.

2. In the representation dated 23.11.2018, the petitioner who is also a Class - I Contractor, has stated that the roads laid by the Highways Department are not up to the prescribed standard and therefore, they should be directed to lay the road with good quality materials and in accordance with the approved specifications.

3. This Court appointed an Advocate Commissioner to inspect the roads in dispute in Tirunelveli District and he filed a report with regard to the quality of the road laid by the Highways Department. Pursuant to the Warrant of Commission issued to the Advocate Commissioner, the learned Advocate Commissioner filed a report wherein he has stated that the road is having patches in some stretches, but except one or two places, the basement of the road



has not torn out. The learned Advocate Commissioner has stated that by and large, the quality of the road laid by the Highways Department in Tirunelveli District is of good quality.

4. Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents submitted that the representation given by the petitioner on 23.11.2018 would be taken note of by the officials of the Highways Department while laying the road.

5. The submission made by the learned Additional Advocate General appearing for the respondents is recorded and also considering the report filed by the learned Advocate Commissioner, we only clarify that the Highways Department should lay the road in Tirunelveli District taking into consideration the representation dated 23.11.2018 given by the petitioner.

6. Mr.K.P.Narayanakumar, learned Advocate Commissioner appointed by this Court has stated that he visited the roads in dispute on four occasions and spent considerable time in preparing the reports.

7. Taking into consideration the submissions of the learned Advocate Commissioner, we are of the considered view that an additional remuneration of Rs.50,000/- (Rupees Fifty Thousand only) can be paid to the learned Advocate Commissioner by the petitioner.

8. Accordingly, we direct the petitioner to pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) as additional remuneration to the learned Advocate Commissioner within a period of four weeks from today.

9. With these observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rsb

To

1.The Chief Engineer,
Highways Construction and Maintenance,
Sardar Vallabhai Patel Road,
Guindy, Chennai.



- 2.The Divisional Engineer,
Highways Construction and Maintenance,
Tirunelveli and Tenkasi, Tirunelveli.
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Tenkasi Division, Tirunelveli District.
- 8.The Assistant Divisional Engineer,
Highways Construction and Maintenance,
Ambasamudram Highways Sub Division,
Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-690[F] dated 08/01/2020)

+1 CC to M/s.R.SARASWATHI, Advocate (SR-755[F] dated 08/01/2020)

W. P (MD) No. 950 of 2019
07.01.2020

JMN(08.01.2020) 4P : 11C