

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.1396 of 2021

V.P.Arumugam

...petitioner

Vs

- 1 The District Collector
Kallakurichi District, Kallakurichi
- 2 The Assistant Director of Town Panchayats
Cuddalore Zone,
Cuddalore District
- 3 The Assistant Executive Engineer
Town Panchayats
Villupuram District
- 4 The Assistant Engineer
Town Panchayats
Chinna Salem, Kallakurichi,
District Kallakurichi
- 5 The Executive Officer,
Town Panchayat
Vadakananthan
Kallakurichi District

6 M.M.Ravi

...respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus directing the respondents 1 to 5 to monitor and supervise the works of 6th respondent from carrying out works relating to laying BT Road at Kilamedu to GTR in Vadakananthan Town Panchayat in view of the work order dated 05-02-2020 in Roc.No. A1/ 10/2020 issued by the 5th Respondent to 6th Respondent with good quality by complying the terms and conditions mentioned in the work order dated 05-02-2020.

For petitioner : Mr.A.Gouthaman

For respondents : Mr.V.Jayaprakash Narayanan,
Government Pleader

ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J.)

This public interest litigation is filed in respect of a contract awarded to the sixth respondent to lay a road between Kilamedu to GTR in Vadakkanandal Town Panchayat.

2. The petitioner alleges that the quality of construction is sub-standard. He further submits that a representation had been submitted to the official respondents in this regard but that no action was taken thereon. By an earlier order passed by this Court in N.Shanmugam vs. Government of Tamil Nadu, dated 20.01.2021, in W.P.No.981 of 2021, we had pointed out that this Court is not inclined to exercise discretionary jurisdiction in petitions filed as public interest litigation as regards actions or inactions of the administrative authorities with minimal impact on the larger public interest. In this case, we find that no evidence has been produced by the petitioner as regards the substandard quality of work, except for producing certain photographs.

3. Therefore, without examining the merits or the tenability of the representation made by the petitioner, the fifth respondent is directed to consider the said representation and dispose of the same by a speaking order, within a period of six weeks from the date of receipt of a copy of this order. In case the petitioner is not satisfied with the disposal of the representation, the petitioner may initiate appropriate legal proceedings, otherwise than by way of a public interest litigation, after establishing his locus standi in this regard. This writ petition, W.P.No.1396 of 2021 is disposed of on the above terms, without any order as to costs. Consequently, miscellaneous petition, W.M.P.No.1571 of 2021, is also closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

tar

To

- 1 The District Collector
Kallakurichi District, Kallakurichi.
- 2 The Assistant Director of Town Panchayats
Cuddalore Zone,
Cuddalore District.
- 3 The Assistant Executive Engineer
Town Panchayats
Villupuram District.
- 4 The Assistant Engineer
Town Panchayats
Chinna Salem, Kallakurichi,
District Kallakurichi.
- 5 The Executive Officer,
Town Panchayat
Vadakananthal
Kallakurichi District .

+1cc to Mr.A.Gouthaman, Advocate, S.R.No.4164.
+1cc to the Government Pleader, S.R.No.4572.

W.P.No.1396 of 2021

MG (CO)
NRA (22/02/2021)

सत्यमेव जयते

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