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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29421 of 2015
and
M.P.No.1 of 2015

T.Sambantham

...Petitioner

Vs

1. The District Collector cum Inspector of Panchayats,
Cuddalore,
2. The Assistant Executive Engineer,
Rural Development & Panchayat Development,
Virudhachalam.
3. The Assistant Executive Engineer,
Highways Department,
Virudhachalam.
4. The Block Development Officer,
Rural Development & Panchayat Development,
Virudhachalam.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first to third respondents to remove all obstructions and also ensure that no vehicles or obstruction is made at the junction of Jayam Kondan TTG road, Karuvepplankurchi Virudhachalam.

For Petitioner : Mr.Sunny
For Mr.V.Raghavachari

For Respondents : Mr.K.M.D.Muhilan
Government Advocate
[For R1 to R3]
R4 - No appearance



ORDER

The Writ on hand is filed to direct the respondents 1 to 3, to remove all obstructions and also ensure that no vehicles or obstruction is made at the junction of Jayam Kondan TTG road, Karuvepplankurchi Virudhachalam.

2. The grievances of the writ petitioner is that his property is located at the junction of road leading to Jayam Kondan, Pennadaram & Virdhachalam. The planning permission was accorded by the competent authority. The petitioner invested his hard-earned money and constructed the property. Right in front of the property, some political parties have erected the flag poles. It causes greater nuisance to the writ petitioner and there were traffic and obstructions.

3. The grievances raised by the petitioner, no doubt, is to be looked into in the larger public interest. The authorities competent are bound to ensure that the public roads are properly maintained and kept for the usage of of public in general. Any abuse or creation of obstruction by any private person can never be tolerated by the authorities competent. It is the public duty casted upon the competent authority to ensure that the illegal obstructions, if any made in public roads are removed and such roads are kept free for the usage of the public at large. This being the duty mandated, the authorities competent are bound to ensure that all public roads are kept free for the usage of public in general.

4. No doubt, due to huge population in our Nation and lack of discipline in using the public roads, certain obstructions are created by some people. However, the authorities from various departments posted for duty on filed, must conduct periodical inspection and ensure that such obstructions are removed then and there to avoid road accidents and for the purpose of maintaining the public road for free usage of all the citizen.

5. However, if any such specific grievance exists for the petitioner, it is for him to lodge a complaint before the competent authority for the purpose of redressal of his grievances. Contrarily, the High Court cannot issue a general direction as sought for in the present writ petition.

6. In view of the facts and circumstances, the petitioner is at liberty to lodge a complaint before the competent authorities, if any illegal obstructions are made in the public roads.



7. With these clarifications, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (L.A)

//True Copy//

Sub Assistant Registrar

nti/kak

To

1. The District Collector cum Inspector of Panchayats,
Cuddalore,
2. The Assistant Executive Engineer,
Rural Development & Panchayat Development,
Virudhachalam.
3. The Assistant Executive Engineer,
Highways Department,
Virudhachalam.
4. The Block Development Officer,
Rural Development & Panchayat Development,
Virudhachalam.

+1CC to Mr.V.Raghavachari, Advocate, Sr.No.53998

+1CC to Mr.Government Pleader, Sr.No.54632

W.P.No.29421 of 2015

NR (CO)

K.RK. (02.11.2021)