



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.17943 of 2020

J.Joseph Zinoson

: Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Corporation Commissioner,
Thoothukudi Corporation Office,
Thoothukudi.

3.The Divisional Engineer,
Department of State Highways,
Construction and Maintenance,
109, Ettayapuram Road,
Thoothukudi.

: Respondents

[R.3 suo-motu impleaded vide order dated 08.12.2020]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to take immediate action to refine the Road going through Panimayamatha Kovil to Kamarajar College via George Road, which is within the jurisdiction of Thoothukudi Municipal Corporation, considering the petitioner's representation dated 09.11.2020.

For Petitioner

/ Party-In-Person : Mr.J.Joseph Ginosan

For Respondents

: Mrs.J.Padmavathi Devi
Special Government Pleader
for RR.1 & 3
Mr.Saji Bino
for R.2

ORDER

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

The grievance of the petitioner is with regard to the non-completion of the road work.

2. In the status report filed by the third respondent, it has been averred as follows:

"7. I submit the tender notice 4/2020-21/HDO dated 29.05.2020 and was published in Dinamalar - Tamil editions



of Chennai, Madurai, Coimbatore, Puducherry, Vellore, Trichy, Thanjavur, Erode, Salem, Tirunelveli, Nagercoil on 02.06.2020 and many other magazines. The contract was awarded to M/s.Sindhu Muruga Constructions Pvt Ltd., Tirunelveli and the agreement was executed on 18.09.2020.

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8. I submit that the cost of estimate was sanctioned for George road was 178.60 Lakhs. It cover 2 km Length of road and 7 m Width of the road. It was designed based on the CBR method as per IRC 37-2018. As per design, it requires 250 mm thickness of wet mix macadam, 50 mm thickness of bituminous macadam and 30 mm thickness of Bituminous concrete.

9. I submit there are no drains in this road under the control of Highways Department. For the above work, picking the existing BT was started on 28.09.2020 and WMM collection started on 07.10.2020 and WMM spreading was completed on 04.11.2020. There was continuous rainfall from 05.11.2020 and hence the rest of the work could not be done.

10. I respectfully state that the rest of the Blacktop pavement work would be completed within a week after the end of the monsoon season as per IRC standards."

3. Recording the aforesaid status report, this writ petition is disposed of, with a direction to the third respondent to complete the work, as undertook by them, as expeditiously as possible, in any event, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

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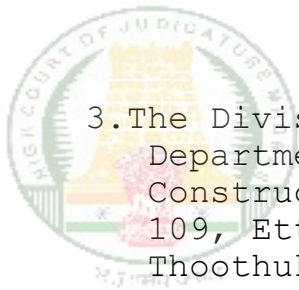
/ /2021

Sub Assistant Registrar(CS)

To

1.The District Collector,
Collectorate,
Thoothukudi District,
Thoothukudi.

2.The Corporation Commissioner,
Thoothukudi Corporation Office,
Thoothukudi.



3. The Divisional Engineer,
Department of State Highways,
Construction and Maintenance,
109, Ettayapuram Road,
Thoothukudi.

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+1 CC to M/s.SPL GP (SR-1668[F] dated 21/01/2021)

+1 CC to M/s.J.JOSEPH GINOSAN, Advocate (SR-1709[F] dated
21/01/2021)

+1 CC to M/s.S.SAJI BINO, Advocate (SR-1499[F] dated 21/01/2021)

W.P. (MD) No.17943 of 2020
20.01.2021

SMV(CO)

KB(01.02.2021) 3P 7C