



W.P.(MD) No.19949 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.08.2022

CORAM:

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
THE CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD) No.19949 of 2022

and

WMP(MD)No.14521 of 2022

R.Latchumanaraj

... Petitioner

vs.

1.The Director,
Tamil Nadu Rural Development and
Panchayatraj Department,
Secretariat,
Fort St.George,
Chennai.

2.The District Collector,
District Collectorate,
Thoothukudi.

3.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

4.The Assistant Director, (Panchayat),
Rural Development Office,
Thoothukudi.



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5.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

6.The Block Development Officer, (Village Panchayat),
Kayathar,
Thoothukudi District.

7.The Panchayat President,
Kumara Ettayapuram Panchayat,
Kayathar Taluk,
Thoothukudi District.

8.The Assistant Engineer,
Union Panchayat,
Kayathar,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to ensure the black metal road to the total extent of 2.7 kms linking the Kumara Ettayapuram Village and Sangaralingapuram Village, Kayathar Taluk, Thoothukudi District, as per the order of the 7th respondent in his proceedings No.T5/3275/2021 dated 09.08.2021 and subsequently direct the 1 to 6 respondents to take action against the 8th respondent for laying substandard road.

For Petitioner	: Mr.P.Rohini
For R1 to R3	: Mr.P.Thilakkumar
	Government Pleader
For R6 & R8	: Mr.A.K.Manickam
	Special Government Pleader



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ORDER

[Order of the Court was made by The Hon'ble The CHIEF JUSTICE]

The writ petition has been filed to seek a direction on the respondents to ensure the black metal road to the total extent of 2.7 kms linking the Kumara Ettayapuram Village and Sangaralingapuram Village, Kayathar Taluk, Thoothukudi District, as per the order of the 7th respondent in his proceedings No.T5/3275/2021 dated 09.08.2021 and subsequently direct the respondents 1 to 6 to take action against the 8th respondent for laying substandard road.

2. Learned Government Pleader appearing for the respondents 6 and 8 has given an inspection report to indicate the estimate amount apart from the name of the scheme and material charges to lay the road. It is also with the stages of the work which indicate that earth work excavation has been completed while Granular Sub Base(GSB) spreading completed with proper compaction only to 300 metres length and collection work progress for remaining length. It further gives details of Granular Sub



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Base(GSB) spreading and Water Bound Macadam(WBM) Grade II spreading. It indicates that the work is at its initial stage. Thus, there was no basis for the petitioner to approach this Court, rather, the intention of the petitioner is to some how create hindrance in the work which otherwise has been demanded by the other villagers.

3. Learned counsel for the petitioner has repeated the allegations and submitted that whenever the road is constructed, the first layer remains always of the river sand, but the respondents are using the mud sand for the first layer which may not provide strength of the road and therefore only, the writ petition has been filed. It is also for the reason that the existing width of the road is not maintained, rather, existing road which is 23 feet wide, is going to be reduced by the respondents.

4. We have considered the submissions.

5. We find that the writ petition was filed at a very initial stage when the work of laying of the road has just began. Even the



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first stage of the work has not been completed. The estimate of the work along with the stage has been given by the respondents.

Finding that the work is at the initial stage, we dispose of this writ petition with a direction to the respondents that construction work would be of quality and under the guidance of the technical persons, so that the road can be laid with proper strength and while doing so, they would even maintain the width of the road. The construction of the road may accordingly be carried out within the estimated time for its completion.

6. With the aforesaid direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[M.N.B., C.J.] [G.C.S., J.]
29.08.2022

Index : Yes / No
Internet : Yes / No
bala/ssl

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