



WEB COPY



WP No.4248 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Coimbatore Consumer Cause
(Regd No.110/97)
No.3B, 4th Floor, "Mayflower Valencia",
1264-C, Avinashi Road,
Nava India, Coimbatore-641004
Rep by its Secretary,
K.Kathirmathiyon.

.. Petitioner

-VS-

- 1.State of Tamil Nadu
Rep by its Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai-600 009.
2. State of Tamil Nadu,
Rep by its Secretary to Government,
Highways Department,
Fort St.George, Chennai-600 009.
3. State of Tamil Nadu,
Rep by its Secretary to Government,
Rural Development Department,
Fort St.George, Chennai-600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to issue appropriate orders/instructions/directions to all the Authorities



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concerned to relay the roads in the entire State only after milling/scrapping the existing roads and the officials should ensure that the height of the existing roads are not increased and officials should be made responsible for the same, based on the representation dated 05.12.2019 made by the petitioner within a time frame fixed by this Court.

For the Petitioner : Mr.A.Arun
for Mr.S.Sathia Chandran

For the Respondents : Mrs.R.Anitha
Spl.Govt. Pleader

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.A.Arun, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. The petitioner seeks direction against the respondents to relay the road in the entire State after milling/scrapping the existing roads so as to ensure that the height of the existing roads is not increased.

3. According to the learned counsel, without milling or scrapping, the roads are being laid thereby increasing the height of



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the roads resulting in the water entering into the houses of the residents during the monsoon season.

4. The learned Special Government Pleader has placed on record the communication dated 12.05.2021 issued by the Chief Secretary to all the Departments. Under the said communication, it is stated that while relaying the roads, precautions should be taken by which the height of the roads is not increased and that milling should be done before relaying the roads.

5. The same would take care of the apprehension of the petitioner. The Departments are expected to abide by the said communication.

The writ petition is, accordingly, disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

15.12.2023

Index : Yes/No

Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

- 1.The Secretary to Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai-600 009.
2. The Secretary to Government of Tamil Nadu,
Highways Department, Fort St.George,
Chennai-600 009.
3. The Secretary to Government of Tamil Nadu,
Rural Development Department,
Fort St.George, Chennai-600 009.

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