



WP No.24591 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

WP No.24591 of 2023

T.S.Shankar

: Petitioner

versus

The Divisional Engineer,
Tamil Nadu Highways Department,
Tiruvannamalai District

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 05.05.2023 restraining the respondent from laying the concrete road in Big Street, Tiruvannamalai and dispose of the representation within a time limit.

For the Petitioner : Ms.G.Umamaheswari

For the Respondent : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mr.K.M.D.Muhilan



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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.G.Umamaheswari, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for the respondent.

2. The petitioner wants to stall the laying of concrete road in Big Street, Tiruvannamalai, on the ground that the *Ther* (temple car) of the temple will start from the Southern side and cross Gopuram Street of Southern side and finally pass through the big street on the Western side of the temple. The Big Street is not like a normal place and it is uneven. Hence, when the *Ther* proceeds through the Big Street, it will be challenging for the *Ther* Pulling committee to handle and process the *Ther* in an organised manner. Earlier, the *Ther* used to be pulled over tar road. Now, the respondent has constructed concrete road and lot of hardship would be caused.

3. Mr.P.Muthukumar, learned State Government Pleader, on instructions, submits that more than 70% of the concrete road work is over. Concrete roads are laid in respect of various temples such as (i) Tirupati Padmavati Thayyar Temple; (ii) Tirupati Venkateswara Temple; (iii) Thiruvavur Thiyagarajaswamy Temple; (iv) Parthasarathy Temple and the like, and they are in use till now. The



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temple car is fixed with hydraulic brakes under the guidance of the Bharat Heavy Electricals Ltd., Trichy. Laying of PQC will be completed before 30.09.2023. It is the contention of the learned State Government Pleader that the petition is not *bona fide* as the petitioner is served with eviction notice on 15.03.2023.

4. There is no scientific material placed on record to demonstrate that the concrete road would be an impediment for pulling the *Ther*. Concrete roads are laid in front of almost all temples, as stated by the learned State Government Pleader, on instructions of the respondent.

5. We do not find any material placed on record to entertain the present writ petition.

6. The writ petition as such is dismissed. There will be no order as to costs. Consequently, WMP No.24016 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

22.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(tar)

To
The Divisional Engineer,
Tamil Nadu Highways Department,
Tiruvannamalai District

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