



WEB COPY



W.P.No.13666 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13666 of 2020

P.Andiyappan

.. Petitioner

VS

- 1.The District Collector,
Room No.101, First Floor,
Collectorate,
Salem-636 001.
- 2.The Highways Department,
rep. by its Director General,
76, Sardar Patel Road,
Guindy, Chennai-25.
- 3.The Divisional Engineer,
NABARD and Rural Roads Wing,
Highways Department,
Kurunguchavadi, Omalur Main Road,
Salem-636 004.
- 4.The President,
Kottakoundampatty Panchayat,
Omalur Circle, Salem District.



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5. The Principal Secretary to the Government
of Tamil Nadu,
Highways Department,
Secretariat, Chennai-9.

.. Respondents

[Respondent No.5 suo motu impleaded vide
order dated 13.10.2020]

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to completely scrape and remove the road passing through Annai Goundampatti Village as part of the Engineering College to Suramangalam-Omalur Road before re laying so as to ensure that the height of the road does not increase.

For the Petitioner : Mr.A.Yogeshwaran

For the Respondents : Mr.K.Karthik Jagannath
Government Advocate

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.A.Yogeshwaran, learned counsel for the petitioner and Mr.K.Karthik Jagannath, learned Government Advocate for the respondents.

2. Learned counsel for the petitioner submits that the



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respondents lay down the road without scraping, thereby increasing the height of the road, because of which water enters the houses of petitioner and other persons during rainy reason. The houses get flooded. The respondent authorities cannot lay down the road without scraping.

3. Learned Government Advocate submits that a Circular has been issued by the Chief Secretary, Government of Tamil Nadu, directing that whenever roads are laid, proper milling should be done so that the height of the road does not increase.

4. The respondent authorities may look into the grievance of the petitioner.

5. In the light of that, the writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.16991 of 2020 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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