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W.P.No.26758 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.26758 of 2024
and WMP Nos. 29258 & 29259 of 2024

M/s. DSR Sons India Engineers Pvt. Ltd.,
Rep. by its Managing Director,
D.S.Raveekumar,
No.49, Ist Floor, HIG, NHI,
Vallai MGR Salai, Maraimalai Nagar 603 209.
Chengalpattu District.

...Petitioner

Vs.

1. The Sate of Tamil Nadu,
Rep. by its Secretary to Government,
Highways and Minor Ports Department,
Secretariat, Chennai 600 009.
2. The Superintending Engineer (Highways),
NABARD and Rural Roads,
B-48, Alagesan Nagar,
Chengalpattu 603 001.
3. The Divisional Engineer (Highways)
NABARD and Rural Roads,
B-75, Alagesan Nagar,
Chengalpattu 603 001.
4. The District Collector
Collectorate, Venbakkam,
Chengalpattu 603 111
Chengalpattu District.



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5. The Director General of Police,
601, Dr. Radhakrishnan Salai,
Mylapore, Chennai 600 004.
6. The Superintendent of Police
District Police Office, Venbakkam,
Chengalpattu – 603 111,
Chengalpattu District.
7. The Inspector of Police,
Chunambedu Police Station,
Chengalpattu District 603 401.
8. M. Babu
MLA of Cheyyur Constituency
(VCK Party)
Semmozhi Salai, J.Nagar, Panayur,
Chennai 600 119.
9. Murali Krishnan
Panchayat President – Agaram Village,
Village Panchayat Office,
Agaram Village, Cheyyur Taluk,
Chengalpattu District 603 401.
10. G.Nirmal Kumar
Panchayat President – Puthirankottai Village,
Village Panchayat Office,
Puthirankottai Village, Cheyyur Taluk,
Chengalpattu District 603 401.
11. C.K.Rammaiya
Panchayat President – Mambakkam Village
Village Panchayat Office,
Mambakkam Village, Cheyyur Taluk,
Chengalpattu District 603 401.

... Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 5 to 7 to ensure safety and security to the petitioner's men and materials to carry on the road project as per the work orders issued by second respondent by taking action against the respondents 8 to 11 who have indulged in vandalism under the guise of demanding bribe for doing the lawful business guaranteed under Article 19(1)(g) and 21 of the constitution by considering the petitioners representations dated 01.01.2024, 25.07.2024 & 01.08.2024.

For Petitioner : Mr.N.Manoharan

For Respondents : Mr.K.M.DMuhilan
Government Advocate (Crl. Side)
for RR 1 to 7

Mr.N.G.R. Prasad, Senior Counsel
for Mr.R.Thirumoorthy, for R8

No appearance for RR 9 to 11

ORDER

The Writ Petition is filed for Mandamus directing the respondents 5 to 7 to ensure safe execution of the work orders by the petitioner herein in respect of Road Laying Work.



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2. According to the petitioner, he is the successful bidder for laying BM layer on the road surface at chainage 1/1 of the Puthirankottai to Mambakkam road. The work has been stopped by the group of muscle men supported by local politician under the guise of checking the quality of the material. The Assistant Engineer of the Highways Department, engaged by the petitioner was present, has been abused by the group of hooligans.

3. The learned Government Advocate (Crl. Side) on notice submits that the private respondents against whom the allegations made about interference in the execution of the work were called and enquired. According to them, they are not opposing for laying the road but they are concerned with poor quality of the material used by the petitioner in laying the road. If the petitioner lay the road as per the specification, the respondents 9 to 11 had stated that they will not object.

4. In view of the submissions made by the learned Government Advocate (Crl. Side) it is suffice to direct the seventh respondent to provide Police protection, if there is any disturbance to the laying of road by the petitioner herein. The petitioner herein should confirm to the



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specification of the work and the third respondent herein shall supervise the execution of the work and its quality.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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jv

Internet: Yes/No

Index: Yes/No

speaking order/ Non Speaking order

Neutral Citation: Yes/No

To

1. The Secretary to Government,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Chennai 600 009.

2. The Superintending Engineer (Highways),
NABARD and Rural Roads,
B-48, Alagesan Nagar,



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Chengalpattu 603 001.

3. The Divisional Engineer (Highways)
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4. The District Collector
Collectorate, Venbakkam,
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5. The Director General of Police,
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District Police Office, Venbakkam,
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7. The Inspector of Police,
Chunambedu Police Station,
Chengalpattu District 603 401.
8. The Public Prosecutor,
High Court of Madras,
Chennai.



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