



W.P.No.25303 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.25303 of 2024

Tindivanam Permanent Manufacturers
Jally and M.Sand Public Welfare Association
Represented by its Joint Secretary,
P.Balakrishnan,
S/o, Periyasamy
Having Association at
No.71/849, Ulagapuram Road,
Brammadesam Village,
Marakanam Taluk,
Villupuram.

... Petitioner

Vs.

1. The Director/Chief Engineer,
State Highway Department,
Chennai 25.
2. The District Collector,
District Collector Office,
Villupuram.
3. The Divisional Engineer,
State Highway Department,
Salamedu, Villupuram.
4. The Regional Transport Officer,



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RTO Office, Tindivanam,
Villupuram.

5. The Thasildar,
Vanur,
Villupuram.

6. The Inspector of Police,
Kiliyanoor Police Station,
Villupuram District.

7. The Village President,
Kiliyanoor Panchayat,
Villupuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct an enquiry and take action as against the persons, who obstructing plying of our association member's vehicle at Kiliyanoor Village, Villupuram District and consequently give proper protection to our association member's to ply their vehicles through Brammadesam to Kiliyanoor State Highway, Villupuram District based on my representation dated 10.08.2024.

For Petitioner : Mr.N.Mathanraj

For R1 to R6 : Mr.S.Sugendran
Additional Public Prosecutor

For R7 : No appearance



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ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents to conduct an enquiry and take action as against the persons, who are obstructing to ply the association members' vehicles at Kiliyanoor Village, Villupuram District and consequently give proper protection to our association members' to ply their vehicles through Brammadesam to Kiliyanoor State Highway, Villupuram District based on the representation dated 10.08.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents and perused the materials available on record.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the Joint Secretary of the Tindivanam Permanent Manufacturers Jally and M.Sand Public Welfare Association. After getting approval from the Government, members of the Association were plying their vehicles in Brammadesam to Kiliyanoor State Highways. The



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persons who are in the nearby village, are obstructing them to ply their vehicles in the said road and they have no authority to do the same. Further, the front mirror of the member's lorry bearing registration No.TN21CF 9129 has also been broken by a known person. Hence, they lodged a complaint against the persons who are obstructing the members of the Association to ply their vehicles. Though F.I.R has been registered, the respondent has not conducted investigation so far. Hence, the petitioner is constrained to file this writ petition.

4. Learned Additional Public Prosecutor appearing for the official respondents submitted that the village people have not prevented the members of the Association to ply their vehicles in the Highways. Moreover, the members of the Association are plying their vehicles by overloading in the village road. Hence, the village people are raising objections. The investigation reveals that no public were prevented the petitioner's association members' vehicles while plying in the National Highways, whereas they are agitating only when the vehicles are entering into the village. Further, the overloading of sand, jally and other



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construction materials, causing much inconvenience to the village people.

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5. It is seen that based on the petitioner's complaint, F.I.R has been registered in Crime No.241 of 2024 and investigation is pending. The petitioner has given a blanket representation and they have not stated as to who are the villagers preventing/obstructing them to ply their vehicles. Further, there is no material to show that the village people are obstructing the members' vehicle while they are plying in the National Highways.

6. In view of the above, the Writ Petition is dismissed. There shall be no order as to costs. However, the respondent/police is directed to investigate the case in Crime No.241 of 2024 and after completion of investigation, file a charge sheet.

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

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