



W.P(MD)No.1156 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.1156 of 2024
and
W.M.P(MD)No.1169 of 2024**

K.Lakshmanan

... Petitioner

VS.

- 1.The District Collector,
Collectorate,
Tenkasi,
Tenkasi District.
- 2.District Project Director,
District Rural Development Agency,
Tenkasi,
Tenkasi District.
- 3.The Block Development Officer (BDO),
Vasudevanallur Panchayat Union Office,
Vasudevanallur,
Tenkasi District.
- 4.The Assistant Engineer,
Vasudevanallur Panchayat Union Office,
Vasudevanallur,
Tenkasi District.

... Respondents



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WEB CERTIFIED **PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to consider the representation of the petitioner dated 05.01.2024 and further direct the second respondent to lay proper road on the way which connects ie., Mullikulam, Nagaram following the guidelines vide Lr.No.27082/2013/Tu1 dated 20.02.2020 issued by the Director of Rural Development and Panchayat Raj and the advices vide letter 5916/H.N.2/2021-1 dated 12.05.2021 sent by the Chief Secretary of the State.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Prayer in this Writ Petition is to direct the second respondent to consider the representation of the petitioner dated 05.01.2024 and further direct the second respondent to lay a proper road on the way which connects ie., Mullikulam, Nagaram following the guidelines vide Lr.No.27082/2013/Tu1 dated 20.02.2020 issued by the Director of Rural Development and Panchayat Raj and the advice vide letter 5916/H.N.2/2021-1 dated 12.05.2021 sent by the Chief Secretary of the State.



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2.The grievance of the petitioner is that though the Government sanctioned sufficient funds for laying a road, one S.Mathan, who is the contractor, has refused to lay proper road with a standard fixed by Indian Road Congress. In this regard, the petitioner submitted a representation dated 05.01.2024, to the respondents, however, the same was not considered by the respondents. Hence, the petitioner has filed the present Writ Petition.

3.When the matter came up for hearing on 22.01.2024, this Court directed the second respondent to inspect the entire road and to take samples at three places in the subject road and to file a report with regard to the substance and quality of the road.

4.Today, when the matter was taken up for hearing, the learned Government Pleader, on instructions, submitted that road has already been laid between Mullikulam and Nagaram and produced the tender conditions between the contractor and the Chairman, DRDA, Tenkasi, wherein it stipulates that after completion of works, routine maintenance for a period of five years will be carried out to the roads which are upgraded/strengthened by MGSMT 2022-23. He further submitted that in



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the light of the specific condition in the tender conditions, if any damages in the aforesaid road, the authority concerned will take necessary action for rectifying the defects in the aforesaid road.

5.At this juncture, the learned counsel appearing for the petitioner questioned the stand that the road has been laid in WMM method instead of using WBW method. For that, according to the respondents, they got permission from the authority concerned for laying road by using WMM method.

6.In the light of the fact that the road has been laid and no further adjudication is required in this Writ Petition. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
27.03.2024

NCC : Yes / No
Index : Yes / No
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ORDER MADE IN
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