



W.P.(MD)No.14849 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.14849 of 2024

and

W.M.P.(MD)No.13012 of 2024

N.Manoharan

: Petitioner

Vs.

1.The Principal Secretary,
State Highways Department,
Secretariat,
Chennai.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The District Collector,
Thoothukudi District,
Thoothukudi.



W.P.(MD)No.14849 of 2024

4.The Project Director,

Chennai to Kanyakumari Industrial Layout Road Project,
State Highways Department,
No.76, Sarthar Patel Road,
CKICP Complex, Guindy,
Chennai – 600 025.

5.The Assistant Project Director,

Chennai to Kanyakumari Industrial Layout Road Project,
State Highways Department,
No.76, Sarthar Patel Road,
CKICP Complex, Guindy,
Chennai – 600 025.

6.The Plannning Supervisor / Consultant,

EGIS India Consulting Engineering Private Ltd.,
Gurgaon, Haryana State.

7.The Divisional Engineer,

State Highways Department,
CKICP Thiyagarajar Nagar,
Palayamkottai,
Tirunelveli District – 627 007.

8.The Assistant Divisional Engineer,

State Highways Department,
CKICP Thiyagarajar Nagar,
Palayamkottai,
Tirunelveli District – 627 007.



W.P.(MD)No.14849 of 2024

WEB COPY

9.The Assistant Divisional Engineer,
State Highways Department,
Tiruchendur – 628 215,
Thoothukudi District.

10.The Assistant Divisional Engineer,
Chennai to Kanyakumari Industrial Layout Road Project,
Tirunelveli.

11.The Special District Revenue Officer cum
Land Acquisition Officer,
Chennai to Kanyakumari Industrial Layout Road Project,
Collectorate Building,
Tirunelveli – 627 011.

12.The Contractor,
J.S.R. - M – Sindu,
(J.V), Chennai.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 4 to 10 to conduct periodically inspection and to direct the 12th respondent to repair the substandard works executed at Tirunelveli (Highways) – Chennai – Kanyakumari – Tiruchendur – Ambasamudram especially from the place at Tirunelveli –



W.P.(MD)No.14849 of 2024

Tiruchendur State Highways under the project name CKICP by considering the petitioner's representation dated 14.11.2023, within the time fixed by this Court.

For Petitioner : Mr.P.Balamurugan
For Respondents 1 to 5, 7 to 11 : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[Order of the Court was made by **R.SURESH KUMAR, J.**]

The prayer sought for herein is for a Writ of Mandamus, directing the respondents 4 to 10 to conduct periodical inspection and to direct the 12th respondent to repair the substandard works executed at Tirunelveli (Highways) – Chennai – Kanyakumari – Tiruchendur – Ambasamudram especially from the place at Tirunelveli – Tiruchendur State Highways under the project name CKICP by considering the petitioner's representation dated 14.11.2023.

2.The grievance espoused by the petitioner as a Public Interest Litigation in respect to the road between Tiruchendur – Palayamkottai - Ambasamudram is that, though the road work has



W.P.(MD)No.14849 of 2024

been undertaken by the State Highways Authority, it has not been properly laid as there are lot of discrepancies according to him and to establish the same, he has filed some photographs claimed to have been taken in December, 2023.

3.However, learned Government Pleader appearing for the official respondents, on instructions, submits that, the work commenced on 26.02.2021 and as per the project time limit, it will be completed some time in January, 2025. Therefore, the work is yet to be completed in full and it is going on. Therefore, learned Government Pleader would submit that, once the entire stretch of work is completed and the completion report is certified by the Highways Authority, even then if there is any discrepancy, then certainly that would also be rectified. Hence, at this juncture, the petitioner at the pre-mature stage had approached this Court seeking such a prayer and it is to be rejected, he contended.

4.We have considered the submissions made by the learned Counsel on either side and perused the materials available on record.



W.P.(MD)No.14849 of 2024

WEB COPY

5. Even some of the photographs that have been filed by the petitioner suggests that the road laying work is still going on, moreover, the project will be completed only in January, 2025, before which we could not find any discrepancies as the project work is still going on. Unless and until it is completed in full and certificate to that effect is issued by the Highways Authority, we cannot find fault with the present contractor, who is undertaking the work. Therefore, we feel that this writ petition is at the pre-mature stage. Therefore, we are inclined to dismiss the same, of course, with liberty to the petitioner to work out his remedy after the project is completed, where if still the petitioner finds any discrepancies in the completed road.

6. With the aforesaid liberty, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[R.S.K.,J.] & [G.A.M.,J.]
09.07.2024

Neutral Citation : Yes/No
Index : Yes/No
Internet : Yes/No
MR



W.P.(MD)No.14849 of 2024

WEB COPY

To

- 1.The Principal Secretary,
State Highways Department,
Secretariat,
Chennai.
- 2.The District Collector,
Tirunelveli District,
Tirunelveli.
- 3.The District Collector,
Thoothukudi District,
Thoothukudi.
- 4.The Project Director,
Chennai to Kanyakumari Industrial Layout Road Project,
State Highways Department,
No.76, Sarthar Patel Road,
CKICP Complex, Guindy,
Chennai – 600 025.
- 5.The Assistant Project Director,
Chennai to Kanyakumari Industrial Layout Road Project,
State Highways Department,
No.76, Sarthar Patel Road,
CKICP Complex, Guindy,
Chennai – 600 025.



W.P.(MD)No.14849 of 2024

- 6.The Divisional Engineer,
State Highways Department,
CKICP Thiyagarajar Nagar,
Palayamkottai,
Tirunelveli District – 627 007.
- 7.The Assistant Divisional Engineer,
State Highways Department,
CKICP Thiyagarajar Nagar,
Palayamkottai,
Tirunelveli District – 627 007.
- 8.The Assistant Divisional Engineer,
State Highways Department,
Tiruchendur – 628 215,
Thoothukudi District.
- 9.The Assistant Divisional Engineer,
Chennai to Kanyakumari Industrial Layout Road Project,
Tirunelveli.
- 10.The Special District Revenue Officer cum
Land Acquisition Officer,
Chennai to Kanyakumari Industrial Layout Road Project,
Collectorate Building,
Tirunelveli – 627 011.



WEB COPY



W.P.(MD)No.14849 of 2024

R.SURESH KUMAR, J.
and
G.ARUL MURUGAN, J.

MR

ORDER MADE IN
W.P.(MD)No.14849 of 2024

09.07.2024