



W.P(MD)No.1881 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 10.07.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
AND  
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.1881 of 2020**

C.M.Raghavan

... Petitioner

Vs.

1.The District Collector,  
Tirunelveli District,  
Tirunelveli-627 009.

2.The Project Director,  
District Rural Development Agency,  
Collector Office Campus,  
Kokkirakulam,  
Tirunelveli District-627 009.

3.S.Maharajan

4.The Principal Secretary to Government,  
State of Tamil Nadu,  
Rural Development and Panchayat Raj Department,  
Fort St. George,  
Chennai-600 009.

5.The Principal Secretary to Government,  
State of Tamil Nadu,  
Highways Department,  
Fort St. George,  
Chennai-600 009.

... Respondents

***[RR4 & 5 are suo motu impleaded vide Court  
order dated 10.07.2205 in W.P.(MD) No.1881 of  
2020]***



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents herein to take action against the 3<sup>rd</sup> respondent herein according to law and also ensure to re-lay the damaged road by the 3<sup>rd</sup> respondent herein out of his own funds, and to make the subject matter road complete for public convenience within a stipulated period and also fix the penalty amount to be charged on errant Respondent No.3 at 10% of the overall contract value of the roadwork, if the Contractor is caught , not adhering to the terms and conditions on the liability period and consequently direct the Government to establish a Public Injury Board to ensure adequate powers to even penalize responsible officers and erring contractors in future and issue appropriate directions to the respondents.

|                   |   |                                                |
|-------------------|---|------------------------------------------------|
| For Petitioner    | : | Mr.C.M.Raghavan<br>Party-in-person             |
| For RR1, 2, 4 & 5 | : | Mr.S.P.Maharajan<br>Special Government Pleader |
| For R3            | : | Mr.G.Mohankumar                                |

## **ORDER**

**[Order of the Court was made by S.M.SUBRAMANIAM, J.]**

The writ on hand has been instituted to direct the first and second respondents to take action against the third respondent and



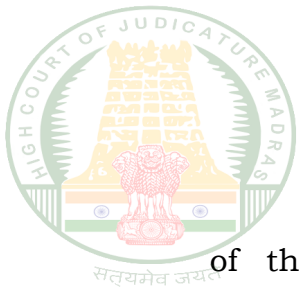
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also ensure to re-lay the damaged road by the third respondent out of his own funds, and to make the subject road complete for public convenience and also fix the penalty amount to be charged on the third respondent at 10% of the overall contract value of the roadwork.

2. The learned Special Government Pleader based on the written instructions of the Project Director/Joint Director, District Rural Development Agency, Tirunelveli, made a submission that administrative sanction was granted during the pendency of the present writ petition and a new road has already been laid.

3. However, the petitioner-in-person would submit that the third respondent/Contractor has committed serious irregularities in not laying the road on previous occasions in accordance with the standards fixed by the Government, which resulted in huge financial loss to the State exchequer.

4. The authorities competent are bound to conduct inspection while road projects are being implemented. At the time of implementation of projects, the materials and standards fixed by the Government is to be scrupulously followed. In the event of any lapse, negligence or dereliction of duty on the part of the Inspecting Officials



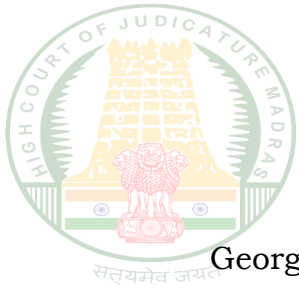
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of the Department, all such officials must be personally held responsible and accountable for the financial loss along with the Contractor with whom they have colluded.

5. There are large scale corruption allegations in implementing the Government welfare projects through private Contractors. The private Contractors, in collusion with the authorities of the Departments, are laying the roads by using substandard materials and not following the standards fixed for laying roads. In this regard, the State has to issue stern instructions and directions to all the subordinate authorities across the State of Tamil Nadu to ensure that the standards fixed by the Government for laying roads are scrupulously followed and in the event of any violation, damage or otherwise, both the Contractor as well as the Inspecting Officials must be held responsible and the financial losses assessed to be recoverable from all concerned.

6. In order to issue appropriate directions to all the authorities and for initiation of disciplinary proceedings against the officials and to recover the financial loss from the Contractors, who are responsible, the Principal Secretary to Government, State of Tamil Nadu, Rural Development and Panchayat Raj Department, Fort St.



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George, Chennai; and the Principal Secretary to Government, State of Tamil Nadu, Highways Department, Fort St. George, Chennai are *suo motu* impleaded as respondents 4 and 5 to this writ petition.

7. Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the newly impleaded respondents 4 and 5.

8. Respondents 4 and 5 are directed to issue appropriate instructions/directions/guidelines to all the subordinate authorities across the State to ensure that the roads are laid in accordance with the standards fixed by the Government and in the event of any lapse, negligence or dereliction of duty, departmental disciplinary proceedings are to be initiated against the officials who inspected the roads and initiate all appropriate action against the Contractors to recover the financial loss caused to the State exchequer. Such instructions/directions/guidelines are directed to be issued by respondents 4 and 5 within a period of four weeks from today (10.07.2025) and a copy of the same is to be submitted before this Court on the next hearing.

9. With the above observations and directions, this Writ Petition stands disposed of. There shall be no order as to costs.



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10. Post the matter on 08.08.2025 under the caption 'for reporting compliance'.

11. The learned Special Government Pleader is directed to communicate this order to respondents 4 and 5 immediately.

**J.]**

**[S.M.S., J.]**

**[A.D.M.C.,**

**10.07.2025**

**Note:** Issue order copy by 11.07.2025

Index:Yes/No

Internet:Yes/No

NCC:Yes/No

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To

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**S.M.SUBRAMANIAM, J.**  
**and**  
**DR.A.D.MARIA CLETE, J.**

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**10.07.2025**