

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.21637 of 2013

The Kancheepuram District Private
Bus Owners Association,
rep. By its Secretary,
having registered office at
29-B, Hospital Road,
Kancheepuram-631 501.

... Petitioner

-vs-

1. The Govt. of India,
rep. by its Secretary,
Ministry of Road Transport & Highways,
Transport Bhavan, Parliament House,
New Delhi-110 001.
2. The Chairman,
National Highways Authority of India,
G-5 & 6 Sector, 10, Dwaraka,
New Delhi-110 015.
3. The Chief General Manager-cum-
Regional Officer,
National Highways Authority of India,
No.1, 54-28, Butt Road,
St. Thomas Mount,
Chennai-600 016.
4. The Project Officer,
M/s.ESSEL Wallajabad Poonamallee
Toll Rates Private Limited,
Nemili (Sriperumbudur),
Kancheepuram District.
5. The Secretary,
Highways Department,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009.

6. The State of Tamil Nadu,
rep. By its Secretary,
Transport Department,
Fort St. George,
Chennai-600 009.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents to their men, agents or subordinates or third and fourth respondents from collection of toll as per the New Smart Card Process in excess of the consolidated charge of Rs.4,855/- per month for multiple trips on the National Highway (NH 4), between Chennai to Bangalore and in variance to the permission granted to the Tamil Nadu State Transport Corporation and Metropolitan Transport Corporation owned vehicles operating under the sixth respondent with effect from 1st August, 2013.

For Petitioner : Mr.M.Palani

For Respondents : Mr.Mohanamurali
SCGSC for R1

Mr.P.Wilson
Senior Counsel for R2 & R3

Mr.P.R.Raman for R4

Mr.STS.Moorthy
Government Pleader for R5 & R6

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Learned counsel for the petitioner seeks to withdraw the writ petition, as he states that he would like to assail the notification dated 05.12.2008, which has not been assailed in the present writ petition. Endorsement has been made.

2. Liberty is granted in accordance with law.

3. The writ petition is dismissed as withdrawn. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Ministry of Road Transport & Highways,
Transport Bhavan, Parliament House,
New Delhi-110 001.
2. The Chairman,
National Highways Authority of India,
G-5 & 6 Sector, 10, Dwaraka,
New Delhi-110 015.
3. The Chief General Manager-cum-
Regional Officer,
National Highways Authority of India,
No.1, 54-28, Butt Road,
St. Thomas Mount, Chennai-600 016.
4. The Secretary,
Highways Department,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009.
5. The Secretary,
The State of Tamil Nadu,
Transport Department,
Fort St. George,
Chennai-600 009.

+1cc to Mr.P.Paramasiva Doss, Advocate, S.R.No.16041
+1cc to Mr.M.Palani, Advocate, S.R.No.15532
+1cc to Mr.K.Mohana Murali, Advocate, S.R.No.15579

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TS (CO)
CA (13/04/2015)

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