

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.30383 of 2016

and

WMP.Nos.26348 & 26349 of 2016

Tamilnadu State Transport Corporation
(Villupuram) Limited,
rep. by its General Manager,
Ranagapuram, Vellore. ... Petitioner

-vs-

- 1.National Highways Authority of India,
rep. by its Chief General Manager-cum-RO,
1/54, 28, Butt Road, St. Thomas Mount,
Near Kathipara Junction,
Chennai-600 016.
- 2.Sri Sai Enterprises,
No.1, Bhupal Complex, Park Road,
Kurnool-518 001.
- 3.Md.Usman Contractor,
No.29-28/1-22, Kovelamudivari Street,
Suryarao Pet,
Vijayawada-520 002. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration declaring that the National Highways Fee (Determination of Rates and Collection) Rules, 2008 and allied notifications issued by the first respondent based on the National Highways Fee (Determination of Rates and Collection) Rules, 2008 in fixing, revising the fees from 01.06.2013 to 22.07.2016 for the stretch from Chennai to Wallajapet in NH4 is inapplicable as per provisions of Section 1(3) of the National Highways Fee (Determination of Rates and Collection) Rules, 2008 and further to declare that the National Highways (Fee for the use of NH Section, Permanent bridge-Public funded Project) Rules, 1997 and sub Rules (2) of Rules 3 of the NH (Rate of Fee0 Rule 1997 shall stands extended to the Toll users and they are entitled for the

monthly passes also and to have refix the rates as per the provisions of the National Highways (Fee for the use of NH Section, Permanent bridge-Public funded Project) Rules, 1997 and sub Rules (2) of Rules 3 of the NH (Rate of Fee) Rule 1997 and to have an exemption of the payments of tool fees if the cost of laying 4 lane is realized.

For Petitioner : Mr.P.Paramasiva Doss

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O R D E R

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

The learned counsel for the petitioner seeks to withdraw the writ petition. Endorsement has been made.

2. The writ petition is dismissed as withdrawn. No costs. Consequently, W.M.P.Nos.26348 & 26349 of 2006 are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Chief General Manager-cum-RO,
National Highways Authority of India,
1/54, 28, Butt Road, St. Thomas Mount,
Near Kathipara Junction,
Chennai-600 016.

+1 cc to M/s.P.Paramasiva Doss & N.Desinghu Advocate
sr 58479

W.P.No.30383 of 2016

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