



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.13500 of 2014
and
M.P.(MD)Nos.1 and 2 of 2014

V.Ramesh : Petitioner

Vs.

- 1.The Union of India,
Represented by its Secretary,
Ministry of Surface/Road Transport,
New Delhi-110 001.
- 2.The General Manager,
Public Grievance Cell,
National Highways Authority of India,
G-5 & 6, Sector 10,
Dwaraka,
New Delhi-110 075.
- 3.The Project Director,
National Highways Transport Commission,
H-83/1, SBE Colony 1st Extension,
Bypass Road, Madurai-16.
- 4.The Manager,
National Highways Transport Commission,
4-C, 1st Floor, 3rd Main Road,
Ponnagar, Trichy-1.
- 5.The District Collector and
Regional Transport Officer,
District Court Complex,
Madurai-20.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Declaration, to declare that the National Highways Fees (Determination of Rates and Collection) Rules, 2008 in general and Rule 3 in particular of the ~~services rendered by the respondent~~ is discriminatory and void and consequentially order the second respondent to remove the Chittampatti Toll Plaza situated at Madurai Virudhunagar National Highways section at Km 18.652.



For Petitioner : No Appearance

For Respondents 1&2: Mr.G.R.Swaminathan,
Assistant Solicitor General of India

For Respondents 3&5: Mr.T.R.Janarthanan,
Additional Government Pleader

For Respondent No.4: Mr.C.Arul Vadivel @ Sekar

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

This Writ Petition has been filed by Mr.V.Ramesh, an Advocate practising in this Bench, challenging the National Highways Fees (Determination of Rates and Collection) Rules, 2008 in General and Rule 3 in particular of the said Rule, on the ground that it is highly discriminatory and void.

2. Today, when this Writ Petition was taken up for hearing, there was no representation for the petitioner. The petitioner also has not made appearance. The learned Assistant Solicitor General of India appearing for the Union of India submitted to the Court that the National Highways Fees (Determination of Rates and Collection) Rules, 2008, was challenged in a Writ Petition in W.P. (MD)No.14535 of 2012 before a Division Bench of this Court and the Division Bench, by order dated 03.07.2014, has upheld the said Rules **[2014(4) LW 481]**.

3. In view of the submission so made, nothing survives in this Writ Petition. Hence, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

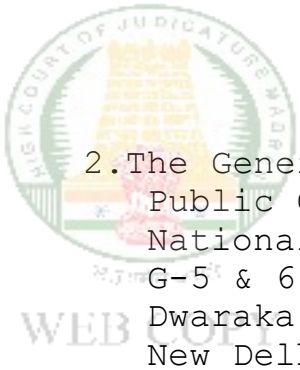
Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

1.The Secretary,
Union of India,
Ministry of Surface/Road Transport,
New Delhi-110 001.



2.The General Manager,
Public Grievance Cell,
National Highways Authority of India,
G-5 & 6, Sector 10,
Dwaraka,
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Ponnagar, Trichy-1.

5.The District Collector and
Regional Transport Officer,
District Court Complex,
Madurai-20.

+1cc to Mr.C.Arul Vadivel @ Sekar, Advocate Sr.No.51764
+1cc to Special Government Pleader SR.No.51975

SML

sm:SKS-RR:21/09/2016:3P/8C

Order made in
W.P.[MD].No.13500 of 2014
Dated: 12.09.2016