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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

and

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P (MD) No.1302 of 2015

M.R.K.Siva
S/o.Krishnasamy
No.23, Kamarajapuram North
Karur

.. Petitioner

Vs.

1.The Chairman,
National Highways Authority of India (NHAI)
G5&6 Sector -10
Dwarka, New Delhi.

2.The Chief General Manager (T)
National Highways Authority of India (NHAI)
Sri Tower, DP -34 (SP) Industrial Estate,
Guindy, Chennai.

3.The Project Director,
National Highways Authority of India (NHAI)
No.7, Kamadhenu Nagar,
Karur.

4.The District Collector,
Karur District,
Karur.

5.The District Collector,
Tiruppur District,
Tiruppur.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from collecting toll fee at Thennilai Karur Taluk and District and Pongalur Palladam Taluk Tiruppur District.



For Respondents : Mr.C.Arul Vadivel @ Sekar for R1 to R3
Mr.Aayiram K.Selvakumar for R4 & R5
Government Advocate

ORDER

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(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner has come up with this public interest litigation alleging that the respondents are going to promote levy and collection of fees on mechanically vehicles for the use of Karur to Kangeyam section from Kilometer 218.200 to kilometer 277.400 of NH - 67 in the State of Tamil Nadu, on the type of Vehicles specified in the notification at the rate specified in the same at 60% of base rate for the two lane with paved shoulders road length of 59.200 km, on the type of vehicles specified in the notification and authorised the authority to collect the said fee, either through its officials or through a Contractor

2. It is submitted by the learned counsel for the petitioner, even without completing the road, an attempt is made to collect the toll fee.

3. The learned counsel for the respondents would submit that so far fee has not been collected from the users of the road by means of vehicles, until the project is completed and road become fully functional. In such of the matter, fee would not be collected. Accordingly, this petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

RR

TO

1.The Chairman,
National Highways Authority of India (NHAI)
G5&6 Sector -10
Dwarka, New Delhi.

2.The Chief General Manager (T)
National Highways Authority of India (NHAI)
Sri Tower, DP -34 (SP) Industrial Estate,
Guindy, Chennai-32.



3.The Project Director,
National Highways Authority of India (NHAI)
No.7, Kamadhenu Nagar,
Karur-639001.

4.The District Collector,
Karur District,
Karur.

5.The District Collector,
Tiruppur District,
Tiruppur.

+1cc to Mr.C.Arul Vadivel Advocate Sr.No. 59490
+1cc to Mr.D.Selvanayagam Advocate Sr.No. 59878
+1cc to Spl.Government Pleader Sr.No. 60561

JAM/01.11.16/SKS-RR/3P-9C

ORDER MADE IN
W.P (MD) No.1302 of 2015
05.10.2016