



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Writ Appeal (MD) No.1045 of 2016
and
C.M.P (MD) No.6353 of 2016

- 1.S.Santhi
- 2.J.Vincent Packianathan
- 3.J.Sundararaj
- 4.J.John Keennedy
- 5.Robert Kennedy
- 6.Rathees Kumar
- 7.Joseph Nixon

... Appellants

Vs .

1. The Government of India,
Rep by its Secretary,
Ministry of Transport and Highways,
New Delhi.
2. The National Highways Authority of India,
Rep by its Chairman, G5 & 6, Sector 10,
Dwarka, New Delhi 110 075.
3. The Project Director,
NH Authority of India,
(Ministry of Road Transport and Highways)
PIU-Kanyakumari,
D.No.13,, Travelers Bungalow Road,
Kamarajar Nagar 1st Street,
Valliyoore, Tirunelveli District.
4. The District Collector,
Kanyakumari District at,
Nagercoil.
5. The Special District Revenue Officer (L&A),
National Highways, No.299/A1/A2,
3rd Middle Street,
Thiyagarajar Nagar,
Tirunelveli 11.

... Respondents



Appeal filed under Clause 15 of the Letters Patent against the Order dated 20.11.2015 made in W.P.(MD).No.10991 of 2014 on the file of this Court.

Prayer in WP(MD). 10991/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorari calling for the records pertaining to the impugned notification issued by the 1st respondent under sub section (1) of section 3(D) of National Highways Act, 1956 (48 of 1956) in S.O.438 (E), datd 25.2.2011 and quash the same.

For Appellant : No appearance
For Respondents 3-5 : Mr.M.Alagathevan,
Special Government Pleader.

JUDGMENT

(Judgment of the Court was delivered by **NOOTY.RAMAMOHANA RAO, J**)

None appears for the appellant.

2.This appeal is preferred against the judgment rendered by the learned single Judge on 20.11.2015 in W.P.(MD)No.10991 of 2014.

3.It will be relevant to notice that a batch of several writ petitions in W.P(MD)No.2922 of 2013 etc., including W.P.(MD) No.10991 of 2014 were heard together by the learned single Judge and by a common order dated 20.11.2015, the learned single Judge dismissed all the writ petitions.

4.W.A.(MD)Nos.929 and 930 of 2016 were preferred against the very same judgment rendered on 20.11.2015 in W.P(MD)Nos.7285, 9792 and 7285 of 2014. A Division Bench comprising of the Hon'ble The Chief Justice and one of us (NRRJ) had considered the matter on merits and by a detailed order and judgment rendered on 10.06.2016 dismissed the appeals.

5.For the very same set of reasons which have been elaborated in the aforesaid judgment dated 10.06.2016, this writ appeal stands dismissed. No costs. Consequently, C.M.P(MD)No.6353 of 2016 is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/



To

1. The Project Director,
NH Authority of India,
(Ministry of Road Transport and Highways)
PIU-Kanyakumari,
D.No.13,, Travelers Bungalow Road,
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Valliyoor, Tirunelveli District.
 2. The District Collector,
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 3. The Special District Revenue Officer (L&A),
National Highways, No.299/A1/A2,
3rd Middle Street,
Thiyagarajar Nagar,
Tirunelveli 11.
 4. The Secretary to Government of India,
Ministry of Transport and Highways,
New Delhi.
 5. The Chairman,
National Highways Authority of India,
G5 & 6, Sector 10,
Dwarka, New Delhi 110 075.
- + 1 CC TO MR.R.J.KARTHICK, ADVOCATE IN SR No. 35222
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 35433

SMS

TE/SKS-RR/ : 21/07/2016 : 3P/8C

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and
C.M.P (MD) No.6353 of 2016
06.07.2016