



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

W.P. (MD) Nos. 6062 to 6068 of 2018

and

W.M.P. (MD) Nos. 5932 to 5945 of 2018

W.P. (MD) No. 6062 of 2018

The American College,
Represented by its Principal and Secretary,
Dhavamani Christopher,
Tallakulam, Madurai. ... Petitioner in all Writ Petitions

-Vs-

1. The State of Tamil Nadu,
Represented by its Secretary,
Highways Department,
Fort St. George, Chennai.
2. The District Collector,
Madurai District,
Madurai.
3. The Revenue Divisional Officer,
Competent Authority,
Highways Acquisition,
Madurai. ... Respondents in all Writ Petitions

PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned notification issued by the third respondent in Na.Ka.No.6044/2014/G dated 15.02.2018 and quash the same as illegal.

For Petitioner
(in all Writ Petitions)

: Mr. Ajmal Khan,
Senior Counsel
For Mr. M. Mahaboob Athiff

For Respondents
(in all Writ Petitions)

: Mr. Chellapandian,
Additional Advocate General,
assisted by
Mr. Aayiram K. Selvakumar,
Additional Government Pleader.

COMMON ORDER

Since the issues involved in these writ petitions are one and the same, these writ petitions are taken up together and disposed by a common order.



2. These writ petitions have been filed, challenging the notification issued by the third respondent / Revenue Divisional Officer under Section 15(2) of the Tamil Nadu Highways Act (hereinafter called as the Act) on the ground that the third respondent is not a competent authority to issue notification under Section 15(2) of the Act, and only the District Revenue Officer is the competent authority. Hence, the notification issued by the third respondent is without jurisdiction.

3. The learned Additional Advocate General appearing for the respondents, on instructions, fairly submitted that the Revenue Divisional Officer has no power to issue notification sought for liberty to issue a fresh notification by the competent authority.

4. In view of the submissions that the third respondent wants to withdraw the notification, nothing remains for further adjudication in these writ petitions. Hence, these writ petitions are closed. However, liberty is given to issue a fresh notification by the competent authority, if he so desired.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Highways Department,
Fort St. George, Chennai.
2. The District Collector,
Madurai District,
Madurai.
3. The Revenue Divisional Officer,
Competent Authority,
Highways Acquisition,
Madurai.

+1cc to M/s. Ajmal Associates, Sr.No.58118

MYR

VB/SV/MMS/SAR3/13.04.2018/2P/5C

W.P(MD)Nos.6062 to 6068 of 2018
27.03.2018