



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :11.10.2018

CORAM

WEB COPY

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

C.M.P (MD) No.9186 of 2018

in

W.A (MD) No.SR39681 of 2018

C.M.P (MD) No.9186 of 2018:

1. The Chairman,
National Highways Authority of India,
G5 & 6, Sector-10, Dwarka,
New Delhi - 110 075.
2. The Deputy General Manager & Project Director,
(Project Implementation Unit),
National Highways Authority of India,
Aishwaryam Heights, Indhira Nagar,
Sennamanaickenpatti,
Dindigul - 624 004. ... Petitioners/Appellants

Vs.

1. M/s.Lanspintex Private Ltd.,
(Formerly M/s.Best Lan Spintex Pvt. Ltd.,)
Rep. by its Authorised Signatory,
No.89/2, Padmavathipuram,
Avinashi Road,
Tiruppur - 641 603.
2. The Union of India,
Rep. by its Principal Secretary,
Ministry of Road Transport and Highways,
New Delhi- 110 075.
3. The District Collector,
Dindigul,
Dindigul District - 624 004.
4. The Authorised Officer &
Special District Revenue Officer,
(National Highways - Land Acquisition),
No.567, APJ Abdul Kalam Street,
Sennamanaickenpatti, Dindigul - 624 004.



5. The Regional Officer,
National Highways Authority of India,
Regional Office,
Madurai.

6. The Technical Manager,
Bypass NH-209,
Dindigul to Pollachi,
Regional Office,
Madurai.

... Respondents/Respondents

PRAYER in C.M.P(MD)No.9186 of 2018: Petition has been filed Under Section 5 of the Limitation Act, to condone the delay of 12 days in filing the above writ appeal against the order passed in W.M.P(MD) No.15078 of 2018 in W.P(MD)No.17116 of 2018.

PRAYER in W.A. (MD)No.SR39681 of 2018: Writ Appeal has been filed Under Clause 15 of the Letters Patent, to set aside the order dated 01.08.2018 passed in W.M.P(MD)No.15078 of 2018 in W.P(MD)No.17116 of 2016 and allow this writ appeal.

Prayer in WMP(MD)No.15078 of 2018 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of Ad Interim stay of the operation of the impugned Notification issued by the 1st Respondent Government of India in Ref.No.Na.Ka.No.24/2017/A1/CU/ 2018 dated 21.03.2018 (published in the Daily Dhinanthanthi on 22.03.2018) in so far as the proposed acquisition of lands belonging to the petitioner in Survey Nos. (*) **135, 140, 141, 142, 143 and 144** at Pushpathur Village, Palani Taluk, Dindigul District is concerned and the consequential proceedings issued by the 4th respondent Authorized Officer cum Special District Revenue Officer in Ref.No.Na.Ka.No.24/2018/PLN dated 00.04.2018 (signed on 16.05.2018), pending disposal of the Writ Petition.

(*)Prayer Amended vide Court order dated 01.08.2018 in WMP(MD) No.15245 of 2018.

Prayer in WP(MD)No.17116 of 2018 :

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 relating to the impugned Notification issued by the 1st Respondent Government of India in Ref.No.Na.Ka.No.24/2017/A1/CU/ 2018 dated 21.03.2018 (published in the Daily Dhinanthanthi on 22.03.2018) in so far as the proposed acquisition of lands belonging to the petitioner in survey Nos. (*) **135, 140, 141, 142, 143 and 144** at Pushpathur Village, Palani Taluk, Dindigul district is concerned and the consequential proceedings issued by the 4th respondent Authorized Officer cum Special District Revenue Officer in Ref.No.Na.Ka.No.24/2018/PLN dated 00.04.2018 (signed on 16.05.2018), quash the same.



For Petitioners : Mr.C.Arul Vadivel Alias Sekar
For R-1 : Mr.T.Cibi Chakraborty for
M/s.Isaac Chambers
For R-3 : Mrs.J.Padmavathi Devi,
Special Government Pleader
For R2 and R4 to 6 : No Appearance

WEB COPY

ORDER

**[Order of the Court was made by
PUSHPA SATHYANARAYANA, J.]**

The learned counsel appearing for petitioners seeks the permission of this Court to withdraw this petition and he has also made an endorsement to that effect.

2. In view of the endorsement so made, this Miscellaneous Petition is dismissed as withdrawn and consequently, Writ Appeal is also rejected in the SR stage itself.

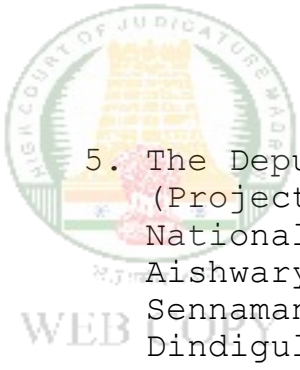
Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Principal Secretary,
Union of India,
Ministry of Road Transport and Highways,
New Delhi- 110 075.
2. The Chairman,
National Highways Authority of India,
G5 & 6, Sector-10, Dwarka,
New Delhi - 110 075.
3. The District Collector,
Dindigul District - 624 004.
4. The Authorised Officer &
Special District Revenue Officer,
(National Highways - Land Acquisition),
No.567, APJ Abdul Kalam Street,
Sennamanaickenpatti,
Dindigul - 624 004.



5. The Deputy General Manager & Project Director,
(Project Implementation Unit),
National Highways Authority of India,
Aishwaryam Heights, Indhira Nagar,
Sennamanaickenpatti,
Dindigul - 624 004.

6. The Regional Officer,
National Highways Authority of India,
Regional Office, Madurai.

7. The Technical Manager,
Bypass NH-209,
Dindigul to Pollachi,
Regional Office, Madurai.

+ 1 CC TO M/s.ISAAC CHAMBERS, IN SR No. 90653

+ 1 CC TO Mr.C.ARUL VADIVEL @ SEKAR, ADVOCATE IN SR No. 89995

PM

TE/SV/SAR-2 : 12/11/2018 : 3P/10C

C.M.P(MD)No.9186 of 2018 in
W.A(MD)No.SR39681 of 2018
11.10.2018