



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD]No.24485 of 2019

and

W.M.P.[MD]No.21107 of 2019

S.N.Baskaran

: Petitioner

Vs.

1.The National Highways Authority of India,
M/s. CDR & Co., Constructions,
Thirunagar,
Madurai.

2.The Manager,
Etturvattam Toll Plaza,
Inderdeep Constructions Company,
Sattur,
National Highways Authority of India (NH-7),
Virudhunagar District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, to call for the records relating to the impugned order dated Nil issued by the first respondent and quash the same as illegal.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.Arul Vadivel @ Sekar
Standing Counsel

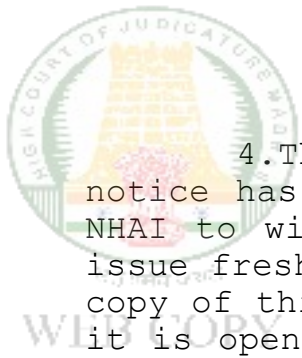
O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2.Heard Mr.M.P.Senthil, learned Counsel appearing on behalf of the petitioner and Mr.Arul Vadivel @ Sekar, learned Standing Counsel appearing on behalf of the respondents.

3.The petitioner has challenged the eviction notice issued by the concessioner who has been appointed by the National Highways Authority of India [in short 'NHAI'] and not by the authorised



4.This fact is not denied by the first respondent. Since the notice has been issued by the incompetent authority, we permit the NHAI to withdraw the notification and give liberty to the NHAI to issue fresh notice within one [1] week from the date of receipt of a copy of this order. We make it clear that on receipt of the notice, it is open to the petitioner to raise all contentions under law as well as on facts.

5.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

MR

To

The National Highways Authority of India,
M/s. CDR & Co., Constructions,
Thirunagar, Madurai.

+1 CC to M/s.C. ARUL VADIVEL @SEKAR, Advocate (SR-100028[F] dated 21/11/2019)

+1 CC to M/s.M.P. SENTHIL, Advocate (SR-100139[F] dated 21/11/2019)

Order made in
W.P. [MD]No.24485 of 2019

Dated: **20.11.2019**

KK/SAR/13.12.2019/2P-4C/