



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2021

CORAM :

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD)No.14641 of 2018

and

WMP (MD)Nos.13205 & 13206 of 2018 and 483 of 2019

Mr.D.Paul Abraham

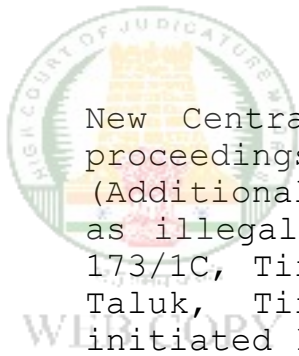
... Petitioner

vs.

- 1) Government of Tamil Nadu,
Rep by The Additional Chief Secretary to Government,
Industries Department
Fort St.George, Secretariat,
Chennai-600009.
- 2) Government of Tamil Nadu,
Rep by The Principal Secretary,
Department of High Ways and Minor Port Department,
Fort St.George, Secretariat,
Chennai-600009.
- 3) The Project Director,
Tamil Nadu Road Sector Project II,
No: 171, Kesonaperumalpuram,
Greenways Road,
Raja Annamalaipuram,
Chennai-600028.
- 4) The District Revenue Officer (Land Acquisition Officer),
O/o. District Revenue Officer Land Acquisition,
Tamil Nadu Road Sector Project II,
No.14, Hazrath Abdulla Salam Road Kaja Nagar,
Thiruchirapalli-620020. ... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Declaration, declaring the Section 15 and 16 of The Tamil Nadu Highways Act, 2001 and rules made there under including GO (MS) No.251 Industries (SIPCOT-LA) Department dated 31.12.2014 issued by Respondent No.1 as illegal and unconstitutional as it is inconsistent and repugnant to the Central Law namely Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after refer to as

<https://hcservices.ecourts.gov.in/hcservices/>



New Central Act 2013), and consequently declare the acquisition proceedings initiated by proceedings in Na.Ka.294/2014/A3 (Additional-1) on the file of the respondent No.4 dated 30.08.2017 as illegal in so far as petitioner's shop and house in survey no. 173/1C, Tirunelveli to Tenkasi Road, Sivalarkulam Village, Alangulam Taluk, Tirunelveli District in an extent of 0.0315 sq.meter initiated by Respondent No.4 invoking Section 15 & 16 of The Tamil Nadu Highways Act, 2001 and rules as null and void.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The learned counsel for the petitioner sought permission of this Court to withdraw the writ petition. He has made an endorsement to that effect.

2. Permission is granted. Recording the endorsement, the Writ Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

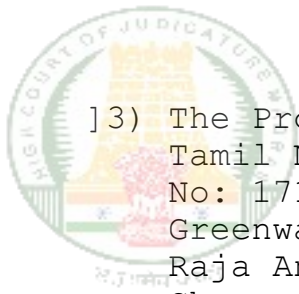
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/ /2021
Sub Assistant Registrar(CS)

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To

- 1) The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Industries Department
Fort St.George, Secretariat,
Chennai-600009.
- 2) The Principal Secretary,
Government of Tamil Nadu,
Department of High Ways and Minor Port Department,
Fort St.George, Secretariat,
Chennai-600009.



]3) The Project Director,
Tamil Nadu Road Sector Project II,
No: 171, Kesonaperumalpuram,
Greenways Road,
Raja Annamalaipuram,
Chennai-600028.

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4) The District Revenue Officer (Land Acquisition Officer),
O/o. District Revenue Officer Land Acquisition,
Tamil Nadu Road Sector Project II,
No.14, Hazrath Abdulla Salam Road Kaja Nagar,
Thiruchirapalli-620020.

+1 CC to M/s.SPL GP (SR-38828[F] dated 15/12/2021)

W.P(MD)No.14641 of 2018

DATED : 13.12.2021

MGJ(29.12.2021) 3P 6C