



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 12791 of 2018

and W.M.P. (MD) Nos.2115/2022,11670 and 11671 of 2018

WEB COPY

M.Prabhu

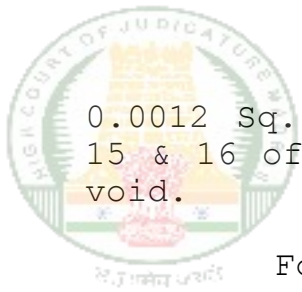
.. Petitioner

Vs

1. Government of Tamil Nadu,
Rep. by the Additional Chief Secretary to Government,
Fort St. George, Secretariat,
Chennai - 600 009.
2. Government of Tamil Nadu,
Rep. by the Principal Secretary,
Department of Highways and Minor Port Department,
Fort St. George, Secretariat,
Chennai - 600 009.
3. The Project Director,
Tamil Nadu Road Sector Project II,
No.171, Kesonaperumalpuram,
Greenways Road,
Raja Annamalaipuram,
Chennai - 600 028.
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 - 620 020.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration, declaring the Sections 15 & 16 of The Tamil Nadu Highways Act, 2001 and Rules made thereunder including G.O.(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 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 survey No.423/2C1C, Tirunelveli to Tenkasi Road, Sivalarkulam Taluk, Tirunelveli District in an extent of



0.0012 Sq. meter is initiated by Respondent No.4 invoking Sections 15 & 16 of the Tamil Nadu Highways Act, 2001 and rules as null and void.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.Veera Kathiravan
(R1 to R4) Additional Advocate General
Assisted by
Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

(Made by PARESH UPADHYAY, J.)

Learned advocate for the petitioner seeks permission to withdraw this writ petition. Permission as prayed for, is granted. This writ petition is dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petitions would not survive.

Sd/-

Assistant Registrar (CS-III)

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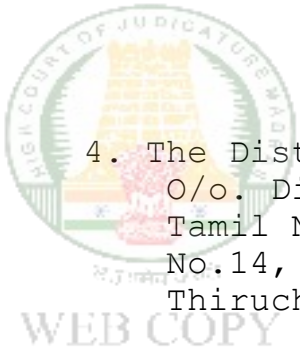
/ /2022

Sub Assistant Registrar(CS)

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To

1. The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Principal Secretary,
Department of Highways and Minor Port Department,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai - 600 009.
3. The Project Director,
Tamil Nadu Road Sector Project II,
No.171, Kesonaperumalpuram,
Greenways Road,
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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 - 620 020.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-14003[F] dated
24/03/2022)

+1 CC to M/s.SPL GP (SR-14484[F] dated 25/03/2022)

W.P (MD) No.12791 of 2018
23.03.2022

RK(30/03/2022) 3P 7C