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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM:
THE HONOURABLE MR.JUSTICE PARESH UPADHYAY
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 12796 of 2018
and W.M.P.(MD) No.11680 and 11681 of 2018

M.Kumar .. Petitioner

Vs

1. Government of Tamil Nadu,
Rep. by the Additional Chief Secretary to Government,
Industries Department,
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 called as the New Central Act 2013), and consequently declare the

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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.423/2D1B, Tirunelveli to Tenkasi Road, Sivalarkulam Village, Alangulam Taluk, Tirunelveli District in an extent of 0.0014 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
Additional Advocate General
Assisted by
Mr.S.Shaji Bino
Special 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 This writ petition is dismissed as withdrawn.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(T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Additional Chief Secretary to Government,
Industries Department,
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,
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3. The Project Director,
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O/o. District Revenue Officer Land Acquisition,
Tamil Nadu Road Sector Project II,
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Thiruchirapalli - 620 020.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-13733[F] dated 23/03/2022)

+1 CC to M/s.SPL GP (SR-13845[F] dated 23/03/2022)

W.P(MD)No.12796 of 2018
22.03.2022

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