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W.P. No. 5254 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 5254 of 2021
and
W.M.P. No. 5812 of 2021**

M. Gnanasekar

... Petitioner

-VS-

1.The Public Information Officer,
National Highways Authority of India,
No.D.P-34, Sri Towers,
South Phase, 3rd Floor,
Guindy,
Chennai 600 032.

2.The Transport Commissioner,
and State Transport Authority,
Transport Department,
Ezhilagam,
Chennai 600 005.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus after calling for the concerned records relating to the order vide No.NHAI/18011/96/2021/PIU.Chennai/390, dated 12.02.2021 passed by the 1st respondent and quash the same and consequently directing the 1st respondent to furnish the required information as per the application submitted by the petitioner on 27.01.2021.



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For Petitioner : Mr. K.Sathiyavel

For Respondents : Mrs. S.R.Sumathy (for R1)

Mr. U.Baranidaran,
Additional Government Pleader (for R2)

ORDER

Heard Mr. K.Sathiyavel, Learned Counsel for the Petitioner, Mrs. S.R.Sumathy, Learned Counsel appearing for the First Respondent and Mr. U.Baranidaran, Learned Additional Government Pleader appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Proceedings in No. NHAI/18011/96/2021/PIU.Chennai/390 dated 12.02.2021 passed by the First Respondent, which is impugned in the Writ Petition, by filing appeal under Section 19 of the Right to Information Act, 2005, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.



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It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 18.02.2021, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.

07.12.2023

Index: Yes/No

NCC: Yes/No

Note: (i) Issue order copy by 31.01.2024.

(ii) Registry is directed to return the impugned order under written acknowledgment after retaining a copy of the same for record.

gsa

To

1. The Public Information Officer,
National Highways Authority of India,
No.D.P-34, Sri Towers,
South Phase, 3rd Floor,
Guindy,
Chennai 600 032.

2. The Transport Commissioner,
and State Transport Authority,
Transport Department,



Ezhilagam,
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P.D. AUDIKESAVALU, J.

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