



W.P.(MD).Nos.5507 of 2016, 10262 and 13006 to 13009 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.11.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD).Nos.5507 of 2016, 10262 and 13006 to 13009 of 2018
and**

W.M.P.(MD).Nos.9298 and 11888 to 11891 of 2018

W.P.(MD).No.5507 of 2016

Era.Soundra Pandian

.. Petitioner

Vs.

**1.The State of Tamil Nadu,
Represented by its Secretary,
Department of Law and Justice,
Fort St.George,
Chennai – 600 009.**

**2.The Secretary,
Department of Highways and Minor Ports,
Fort St.George,
Chennai – 600 009.**

**3.The District Revenue Officer,
Office of the District Collector,
Thoothukudi – 628 101.**

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Declaration, declaring that the Tamil Nadu High ways Act 2001 (Tamil Nadu Act No.34 of 2002) and its rules 2003 framed there under as unconstitutional under Article 254 of the Constitution of India as it is inconsistent, repugnant, redundant and unworkable in view of the commencement of new central Act, “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013” (Act No. 30 of 2013).

For Petitioner : Mr.L.G.Sahadevan
for Mr.V.Manohar

For Respondents : Mr.T.Amjad Khan
Government Advocate

COMMON ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

Today, when these Writ Petitions are taken up for hearing, the learned Government Advocate appearing for the respondents relied upon the decision of the Supreme Court of India in ***G.Mohan Rao and others Vs. State of Tamil Nadu and others reported in 2021 SCC Online SC 440,***



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wherein, it has been held that the 2019 Act is to be a legitimate legislative exercise and to be consistent with and within the four corners of Article 254 of the Constitution of India and also of the High Court judgment. He submitted that the said finding is squarely applicable to the present case also.

2. The learned counsels appearing for the petitioners have not refuted the said submission.

3. In view of the decision cited supra, these Writ Petitions stand dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (V.L.N.,J.)
07.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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