



W.P.No.9190 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

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Periyar Mahalakshmi Nagar Kudiyurpor Nala Sangam,
rep. by Secretary S.Kanagaraj,
No.3/321, Periyar Nagar,
Pollachi Main Road, Elur Pirivu,
Kinathukkadavu,
Coimbatore-641 032.

.. Petitioner

Vs

- 1.The Secretary,
Ministry of Road Transport and Highways,
Transport Bhawan, Sansad Marg,
New Delhi – 110 001.
- 2.The Chairman,
National Highways Authority of India (NHAI),
G5&6, Sector-10, Dwarka,
New Delhi-110 075.
- 3.The Chief General Manager,
National Highways Authority of India (NHAI),
Sri Tower, DP-34 (SP) Industrial Estate,
Guindy, Chennai-600 032.



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4.The Project Director,
National Highways Authority of India (NHAI),
Corridor Management Unit,
Coimbatore-641 045.

5.The District Collector,
Collector Office,
State Bank Road, Gopalapuram,
Coimbatore-641 018.

6.KNR Constructions Limited,
11, Ellur Pirivu Behind Vivek Vidhyalaya School,
Kinathukadavu,
Coimbatore-642 109.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the respondents 2 to 4 from locating the Toll Plaza at Elur Pirivu near Kinathukkadavu in the Pollachi-Coimbatore section of the National Highways (NH-209) of their Rehabilitation and Upgradation project of NH-209 by considering the petitioner's representation dated 10.3.2018.

For the Petitioner : Mr.M.Manickavel

For the Respondents : Mrs.S.R.Sumathy
Standing Counsel
for respondents 2 to 4

: Mr.Karthik Jagannath
Government Advocate
for respondent No.5



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ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner to forbear respondents 2 to 4 from locating the Toll Plaza at Elur Pirivu near Kinathukkadavu in Pollachi-Coimbatore Section of NH-209 of their rehabilitation and upgradation project by considering the petitioner's representation dated 10.3.2018.

2. Today, when the writ petition is taken up for hearing, Mrs.S.R.Sumathy, learned counsel appearing for respondents 2 to 4 placed on record the status report of the fourth respondent. In paragraphs 17 to 19, it has been stated as under:

"17. I further submit that the Toll Plaza is now proposed at km.97.200 of NH-83 in the project stretch of Pollachi-Maduthukulam section of NH-83 for which construction work are in progress through the PD, PIU, Dindigul under the control of RO Madurai.

18. I further submit that the project details of Pollachi-Coimbatore section NH-83 (Old No.209) was also handed over PD, PIU, Dindigul for preparation of fee



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notification by adding the tollable length of Pollachi-Coimbatore section of NH-83.

19. I further submit that as per the instructions of the RO Chennai, the acquisition proceedings already initiated for the Toll Plaza, at km.140+800 (Elur Pirivu) was not progressed and allowed to lapse. The Toll Plaza is now proposed at km.97.200 of NH-83 in the project stretch of Pollachi-Maduthukulam section of NH-83."

3. The status report filed by the fourth respondent is taken on record.

4. In view of the said status report filed by the fourth respondent, nothing survives for adjudication in the present writ petition. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

(R.M.D., ACJ.)

(M.S.Q., J.)

04.06.2024

Index : Yes/No
NC : Yes/No
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- 4.The Project Director,
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- 5.The District Collector,
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State Bank Road, Gopalapuram,
Coimbatore-641 018.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

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