



W.P No.11032 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P No.11032 of 2024
and W.M.P.Nos.12112, 12113 and 12115 of 2004

V.Ramesh

.. Petitioner

-vs-

- 1.The District Collector
Thiruvallur District
Thiruvallur.
- 2.The State Environmental Impact
Assessment Authority, 3rd Floor
Panagal Maligai, No.1, Jennings
Road, Saidapet, Chennai - 600 015.
- 3.General Manager (Tech) - Bharatmala
National Highways Authority of India
New Delhi.
- 4.DGM (Tech) & Project Director
National Highways Authority of India
Project Implementation Unit
Chittoor, Andhra Pradesh.
- 5.Chittoor-Thatchur Highway Private Limited
11th Floor / 1101, Hiranandani Knowledge
Park, Technology Street, Powai
Mumbai - 400 076.



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- 6.The Executive Engineer
Water Resource Department
Araniyar Basin Division
Chepaukkam, Chennai 600 005.
 - 7.Revenue Divisional Officer
Thiruvallur District, Thiruvallur.
 - 8.The Tahsildar
Uthukkottai Taluk
Uthukkottai, Thiruvallur District.
 - 9.Village Administrative Officer
Perittivakkam Village
Thiruvallur District.
 - 10.M/s.S.S.Constructions
Plot No.87, Road No.72
Jubilee Hills, Hyderabad-500 083.
 - 11.The Ministry of Environment
Forest and Climate Change
(Impact Assessment Division)
Indira Paryavaran Bhawan, Jor
Bagh Road, Aliganj, New Delhi-110 003.
- (R11 impleaded as per order dated
22.04.2024 in W.P.No.11032/2024
by CJ & JSNPJ)

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order dated 06.02.2024 in Na.Ka.No.98/2023/Mineral.2 on the file of the 1st respondent and quash the same and consequently directing the 1st and 10th respondents to restore the Perittivakkam Lake located in Survey No.163 (part), Perittivakkam Village, Tiruvallur District.



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For the Petitioner : Mr.T.Mohan, Senior Counsel
for Mr.S.Bruno Cruz

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
- for R1, R6 and R9

Mr.Su.Srinivasan
Central Government Standing
Counsel - for R3 and R4

Mr.Abdul Saleem
for Mr.Vijay Meghanath
Standing Counsel - for R10

Mr.K.Srinivasamurthy
Senior Panel Counsel for
Central Government - for R2

Mr.AR.L.Sundaresan
Additional Solicitor General
assisted by Mr.K.Srinivasamurthy
- for R11

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.T.Mohan, learned Senior Counsel representing Mr.S.Bruno Cruz, learned counsel for the petitioner, Mr.C.Kathiravan, learned Special Government Pleader for Respondents 1, 6 and 9, Mr.Su.Srinivasan, Central Government Standing Counsel



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for respondents 3 and 4, Mr.Abdul Saleem representing Mr.M.Vijay Meghanath, learned Standing Counsel for the 10th respondent, Mr.K.Srinivasamurthy, learned Senior Panel Counsel for Central Government for the second respondent and Mr.AR.L.Sundaresan, learned Additional Solicitor General for the 11th respondent.

2. Learned Senior Counsel appearing for the petitioner on instructions, seeks to withdraw the writ petition with liberty to approach the National Green Tribunal.

3. The writ petition is dismissed as withdrawn with liberty to approach the National Green Tribunal as may be permissible in law. In that event, the contentions of the respective parties are kept open. Accordingly, the writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., C.J.) (J.S.N.P., J.)
29.04.2024

Index : Yes/No
Neutral Citation : Yes/No
kst



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