



WP.No.37582 of 2007

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In the High Court of Judicature at Madras

Dated : 10.2.2025

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Writ Petition No.37582 of 2007
& M.P.No.1 of 2007

1.Vimal Kumar Galada
2.Siddarth Galada

...Petitioners

Vs

1.The Union of India, rep.by
Secretary to Government,
Ministry of Surface
Transport, New Delhi.

2.National Highways Authority
of India, rep.by its Project
Director, VIII Floor, SPIC
Building, 88, Anna Salai,
Chennai-32.

3.The District Revenue Officer
& Competent Authority
(National Highways),
Kancheepuram & Tiruvellore
Districts, Kancheepuram.

...Respondents

PETITION under Article 226 of The Constitution of India praying
for the issuance of a Writ of Declaration declaring Section 3J of the
National Highways Act as unconstitutional and illegal.

For Petitioners : Mr.A.Jenasenan
For R2 : Mrs.S.R.Sumathy,



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For R3

: Standing Counsel
Mr.A.Selvendran, SGP

ORDER

This writ petition has been filed seeking for a Writ of Declaration declaring Section 3J of the National Highways Act as unconstitutional and illegal.

2. Heard both.

3. The issue involved in this case is squarely covered by a judgment of the Apex Court in the case of **Government of India Vs. Tarsem Singh [reported in 2019 (9) SCC 304]**. Ultimately, a clarification was sought for by the Union of India and the same was also negated by the Apex Court by order dated **04.2.2025** in **M.A. No.1773 of 2021 in Civil Appeal No.7064 of 2019**.

4. In the light of the above, this writ petition is allowed as prayed for. No costs. Consequently, the connected MP is closed.

RS

10.2.2025



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N.ANAND VENKATESH,J

RS

To

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Secretary to Government,
Ministry of Surface
Transport, New Delhi.
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of India, rep.by its Project
Director, VIII Floor, SPIC
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