

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**  
**PRESENT**  
**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**  
**&**  
**THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN**  
Friday, the 17<sup>th</sup> day of March 2023 / 26th Phalguna, 1944  
WA NO. 458 OF 2023

**AGAINST INTERIM ORDER DATED 16.01.2023 IN WP(C) 31341/2022 OF THIS COURT**

**APPELLANT/PETITIONER IN WPC:**

NITHIN RAMAKRISHNAN, AGED 32 YEARS , S/O DR. N RAMAKRISHNAN,  
"UDAYAM", BRINDAVAN COLONY, PALAKKAD - 678001.

BY ADV.SMT. ANJALI ANIL A.

**RESPONDENTS/RESPONDENTS IN WPC:**

1. UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN, 1, PARLIAMENT STREET, NEW DELHI- 110001.
2. NATIONAL HIGHWAY AUTHORITY OF INDIA, REPRESENTED BY ITS CHAIRMAN, G 5& 6, SECTOR 10 , DWARKA, NEW DELHI - 110075.
3. CHAIRMAN, NATIONAL HIGHWAY AUTHORITY OF INDIA, G 5& 6, SECTOR 10 , DWARKA, NEW DELHI - 110075.
4. SECRETARY ,NATIONAL HIGHWAY AUTHORITY OF INDIA G 5&6 , SECTOR 10 , DWARKA, NEW DELHI - 110075.
5. DIRECTOR GENERAL, ROAD DEVELOPMENT & SPECIAL SECRETARY, NATIONAL HIGHWAY AUTHORITY OF INDIA, G 5& 6, SECTOR 10 , DWARKA, NEW DELHI - 110075.
6. ADDITIONAL DIRECTOR GENERAL – III, NATIONAL HIGHWAY AUTHORITY OF INDIA G 5& 6, SECTOR 10 , DWARKA, NEW DELHI - 110075.
7. CHIEF ENGINEER, NATIONAL HIGHWAY AUTHORITY OF INDIA G 5& 6, SECTOR 10 , DWARKA, NEW DELHI - 110075.
8. PROJECT MANAGER, NATIONAL HIGHWAY AUTHORITY OF INDIA G 5& 6, SECTOR 10 , DWARKA, NEW DELHI - 110075.
9. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, PUBLIC WORKS DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM- 695001.
10. DISTRICT COLLECTOR, COLLECTORATE, THRISSUR - 680003.
11. DISTRICT SUPERINTENDENT OF POLICE, RURAL CIVIL STATION, THRISSUR - 680003.
12. GURUVAYUR INFRASTRUCTURE PVT.LTD., REPRESENTED BY ITS CHIEF OPERATING OFFICER, PERAMBRA, CHALAKUDY, THRISSUR - 680307.

BY DEPUTY SOLICITOR GENERAL OF INDIA SRI.S.MANU AND CENTRAL GOVERNMENT COUNSEL FOR R1 TO R8

BY GOVERNMENT PLEADER FOR R9 TO R11

Prayer for interim relief in the Writ Appeal stating that in the circumstances stated in the appeal memorandum, the High Court be pleased to issue an interim direction:

i) to stay the operation of the interim order dated 16.01.2023 passed by the learned Single Judge in WPC 31341/2022 AND

ii) to implement Annexure R2(a) guidelines issued by the 2nd respondent.

This Writ Appeal coming on for orders on 17/03/2023 upon perusing the appeal memorandum, the court on the same day passed the following:

P.T.O.



**ANNEXURE R2(a): THE GUIDELINES DATED 24.05.2021 MENTIONED IN THE PRESS RELEASE**



**A.MUHAMED MUSTAQUE & SHOBA ANNAMMA EAPEN, JJ.**

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**Writ Appeal No.458 of 2023**

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**Dated this the 17<sup>th</sup> day of March, 2023**

**O R D E R**

**A.Muhamed Mustaque, J.**

This writ appeal highlights more or less the issue of traffic blocks and the delay in clearing the queue at the Toll Booths across the Paliyekkara Toll Plaza in Thrissur District. The grievance has to be considered as above to the persons who pass through the Toll Plaza, especially in busy hours who have to wait in the queue for a long period till the barricade is lifted by the operator on payment of toll fee by each vehicle passing through the Toll Plaza. It is high time that in the era of technology, traffic is cleared through technology enabled devices for smooth passage of traffic.

The learned Central Government Counsel submits that he will get instructions from the first respondent in what manner the vehicle traffic can be

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allowed to pass through the Toll Plaza without any hassle or loss of time. The Union Government also shall consider whether the NHAI Policy Guidelines/ Management of Plaza, 2021 Policy Circular No.17.5.82 dated 24.5.2021 can be given retrospective effect or not.

**Sd/-**

**A.MUHAMED MUSTAQUE, JUDGE**

**Sd/-**

**SHOBA ANNAMMA EAPEN, JUDGE**

In

