



AN ARD-CHÚIRT
THE HIGH COURT

PLANNING AND ENVIRONMENT
2025 1900 JR

Monday the 13th day of April 2026

BEFORE MR JUSTICE RICHARD HUMPHREYS

**IN THE MATTER OF SECTION 43 OF THE TRANSPORT (RAILWAY
INFRASTRUCTURE) ACT 2001, AS AMENDED**

BETWEEN/

FIRETHORN LIMITED AND MANHATTAN PEANUTS LIMITED

APPLICANTS

-AND-

AN COIMISIÚN PLEANÁLA, IRELAND AND THE ATTORNEY GENERAL

RESPONDENTS

-AND-

**THE NATIONAL ROADS AUTHORITY OPERATING AS TRANSPORT
INFRASTRUCTURE IRELAND**

NOTICE PARTY

The within proceedings coming before the Court on this day pursuant to the Notice of Motion of the Applicants dated the 21st day of January 2026 seeking *inter alia* an Order of *Certiorari* in respect of the decision of the First Named Respondent bearing reference number ABP-321278-24 in the presence of Counsel for the Applicants and Counsel for the First Named Respondent and Counsel for the Second and Third Named Respondents and Counsel for the Notice Party

Whereupon and on reading said Motion and the pleadings and affidavits filed in respect of the within proceedings

And on hearing what was offered by said respective Counsel

And it now appearing that the proceedings herein have been compromised and agreement reached between the parties strictly without prejudice to the position of the First Named Respondent that the decision the subject of the within proceedings taken by it was lawful and that no legal error has been identified in the decision

And the Court noting that the Applicants have confirmed that they are seeking an Order of *Certiorari* to quash the acquisition of certain of the Applicants' lands that form part of the Railway Order (defined below) together with associated works on those lands

And the Court further noting that the terms of this Order are agreed by all parties without the First Named Respondent accepting that it was in error

By consent the COURT DOTH GRANT in accordance with section 47A(9) of the Transport (Railway Infrastructure) Act 2001 (as amended) an Order of *Certiorari* quashing the decision of the First Named Respondent made on the 28th day of October 2025 making the "Railway Order Transport (Railway Infrastructure) Act 2001 (as amended) Railway (Luas Finglas – Broombridge to Charlestown) Order [2024]" (ACP Case Ref: NA29N.321278) ("Railway Order") insofar as it authorises the acquisition of those parts of (i) Plot D1-331-T6 and (ii) Plot D1-331-A3 and (iii) Plot D1-331-T4 depicted on the drawing included in the First Schedule hereafter (comprising an area of (i) 72.9m² from Plot D1-331-T6 and (ii) 98.4m² from Plot D1-331-A3 and (iii) 31.0m² from Plot D1-331-T4) ("Lands to be removed") and further that all works associated with the Lands to be removed be excised from the Railway Order with the following consequential amendments to the Railway Order

- a) that the Railway Order be amended by moving (i) Plot D1-331-A2 and (ii) the remaining part of Plot D1-331-A3 being an area of 99.9m² from the Second Schedule to the Railway Order (permanent acquisition) to the Fourth Schedule to the Railway Order (temporary acquisition) which said plots are depicted on the drawing included in Second Schedule hereafter

And *in lieu* of directing that an Order of *Certiorari* do issue IT IS ORDERED that the aforesaid decision of the First Named Respondent dated the 28th day of October 2025, insofar as it authorises the acquisition of the Lands to be removed as defined above, and all records and entries relating thereto be quashed without further Order

And IT IS ORDERED that the proceedings be struck out with no further order

CATRÍONA MCGRATH
REGISTRAR
PERFECTED 13/05/2026

Ahern Rudden Quigley
Solicitor for the Applicants

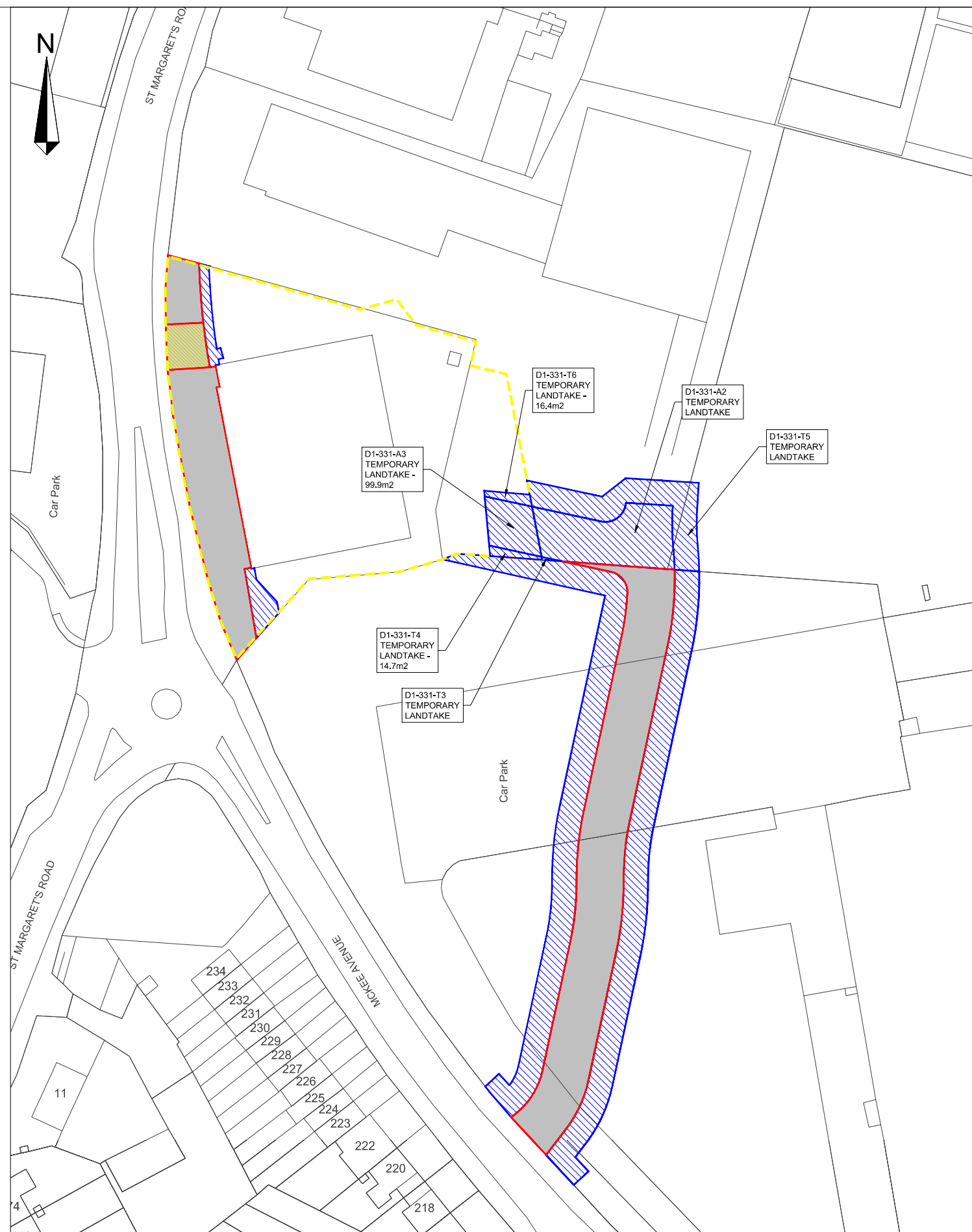
Fieldfisher LLP
Solicitor for the First Named Respondent

The Chief State Solicitor's Office
Solicitor for the Second and Third Named Respondents

McCann Fitzgerald LLP
Solicitor for the Notice Party

First Schedule

Second Schedule

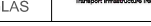


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© Bluesky International Ltd, © National Mapping Division of Taite Éireann CYAL50512887. All elevations are in metres and relate to Geoid Model (OSGM02) Mean Sea as defined by existing Project Control. All co-ordinates are in Irish Transverse Mercator Grid (ITM) as defined by VRS active GNSS station Tallaght College (TLTG).

P01,01	--	FOR INFO TEMPORARY LANDTAKE - 10.03.26	--	--	--
REV	DATE	DESCRIPTION	BY	CHK	APP

PROJECT: 		CLIENT:  Transport Infrastructure Ireland		AUTHORITY:  Oideas Náisiúnta Iompair National Transport Authority	
CONSULTANT:  					
DRAWN: ---	CONTENT CHECK: ---	QUALITY CHECK: ---	APPROVED: ---	DATE: ---	
SCALES: 1:500	DRAWING STATUS: Initial non-contractual code				

PROJECT TITLE:	LUAS FINGLAS - PRELIMINARY DESIGN & STATUTORY PROCESS LDD101	CHAINAGE / CORE AREA:	33
PROCUREMENT REF:		BASE MODEL REF:	
DRAWING TITLE:	RAILWAY WORKS LUAS FINGLAS - PROPERTY DETAILS JAMESTOWN BP ACCESS ROAD MURDOCK BUILDERS MERCHANTS		
FILE NAME:	PLAN NUMBER:	SUITABILITY REVISION	
DRAWING 2	D1-P33 1-2	S0	P01.01