

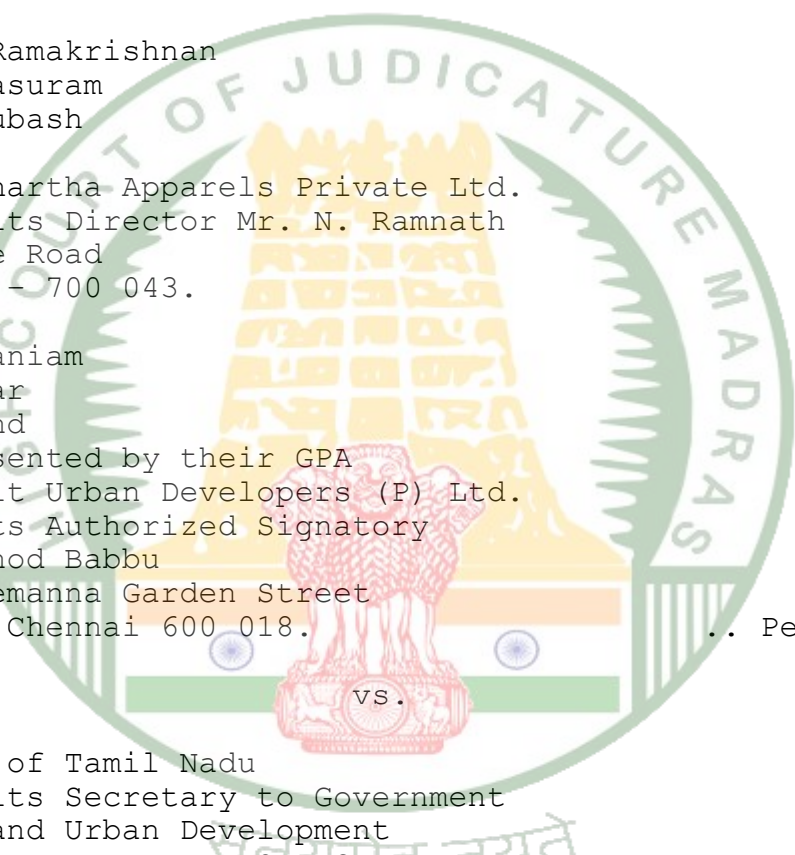
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 13944 of 2014
and M.P. No. 1 of 2014

- 
1. Gopinath Ramakrishnan
2. Madhu Parasuram
3. Kalyani Subash
4. M/s. Siddhartha Apparels Private Ltd.
Rep. by its Director Mr. N. Ramnath
B-1, Hide Road
Kolkatta - 700 043.
5. R. Subramaniam
6. Vijayakumar
7. Deepa Anand
.. All represented by their GPA
M/s. Adroit Urban Developers (P) Ltd.
Rep. by its Authorized Signatory
M.V. Vinod Babbu
No.1, Bheemanna Garden Street
Alwarpet, Chennai 600 018. .. Petitioners
vs.
1. The State of Tamil Nadu
Rep. by its Secretary to Government
Housing and Urban Development
Department, Fort St. George
Chennai 600009.
2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008. .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in letter No.C3(S)/8720/2013 dated 29.4.2014 pertaining to the demand of Rs.1,22,80,000/- towards security deposit for the proposed development and security deposit for sewerage treatment

plant as contained in column (v) and (vii) of the impugned order of the second respondent with respect of the multi storied residential building to be put up at Rajiv Gandhi Salai (OMR) & MGR Salai Sholingallur, Chennai in Survey No. 439/4A1 & 4A2 of Sholingallur village, Chennai, quash the same and consequently direct the second respondent to grant planning permission as sought for in respect of construction to be put up in the aforesaid property without insisting upon the demand security deposit for development and security deposit for sewerage treatment plant as contained in letter No.C3(S)/8720/2013 dated 29.04.2014 issued by the second respondent.

For Petitioner : Mr. S. Rajasekar
For Respondents : Mr. V.R. Kamalanathan
Addl. Govt. Pleader for R1
Mr. C. Johnson for R2

O R D E R

(Made by The Hon'ble The Chief Justice)

This writ petition, by consent, is disposed of in terms of the order dated 29.07.2015 passed by this Court in Writ Petition Nos. 16287 of 2015 and 28577 of 2008 (Shriram Properties and Infrastructures Private Limited, rep. by its Assistant Vice President (Projects), Chennai vs. State of Tamil Nadu, Housing and Urban Development Department, Chennai and The Member Secretary, Chennai Metropolitan Development Authority) and the relevant portion is extracted as under:

"5. Insofar as the present petitions are concerned, the same are disposed of as per the interim orders already passed which shall partake the character of the final orders on condition that the amount demanded under the Caution Deposit as well as the amount demanded under the Security Deposit is kept secured by the Bank Guarantees. The Bank Guarantee for Caution Deposit as per orders passed in Writ Petition No.5350 of 2006 has to be kept in force for a period of five years, while for Security Deposit, it has to be kept in force till the completion of the building."

No costs. Consequently, M.P. Nos.1 to 3 of 2014 are closed.

Sd/-
Asst.Registrar (AD I)

/true copy/

Sub Asst. Registrar

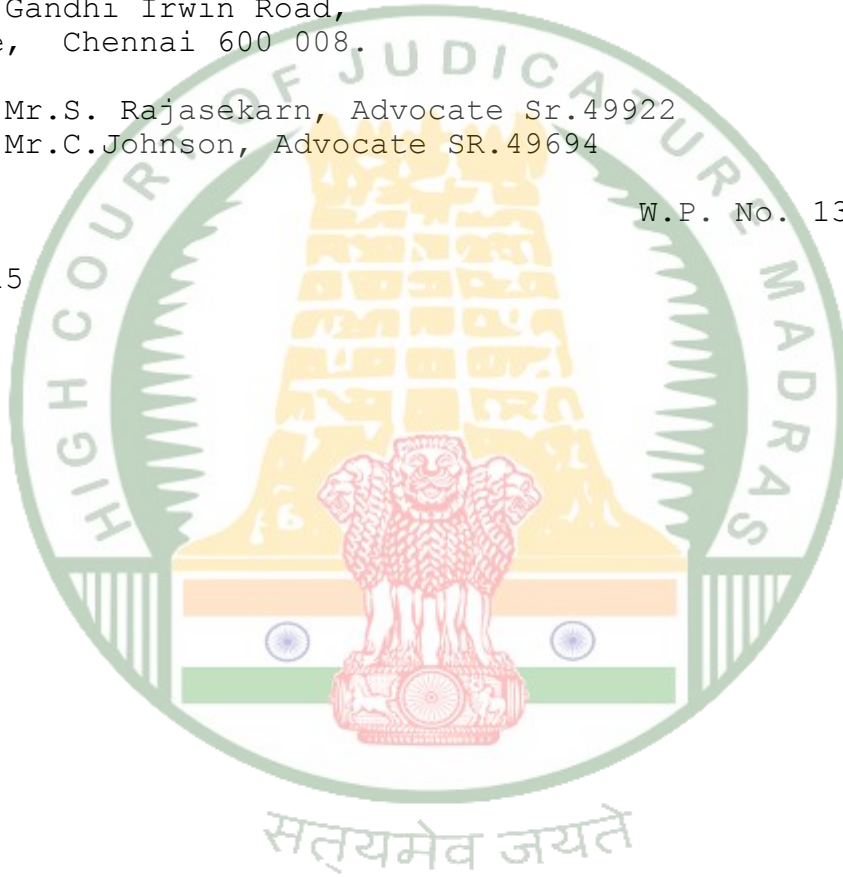
ATR

Copies to;

1. The Secretary to Government
State of Tamil Nadu
Housing and Urban Development
Department, Fort St. George
Chennai 600009.
 2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- + 1 cc to Mr.S. Rajasekarn, Advocate Sr.49922
+ 1 cc to Mr.C.Johnson, Advocate SR.49694

W.P. No. 13944 of 2014

EV(CO)
Eu 20.10.15



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