

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.12551 and 12552 of 2011

Dr.M.A.M.Ramaswamy .. Petitioner
in both WPs.

vs.

1. The State of Tamil Nadu
rep. by the Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St. George
Chennai - 600 009.
 2. The Chennai Metropolitan
Development Authority
rep. by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 009.
 3. The Heritage Conservation Committee
rep. by its Chairman/Chief Planner
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 009.
 4. The Corporation of Chennai
rep. by its Commissioner
Rippon Building
Chennai - 600 003.
- .. Respondents
in both WPs.

PRAYER in W.P.No.12551 of 2011: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records of the 2nd respondent comprised in his communication issued in Letter No. C1/H/8309/2010, dated 11.6.2010, but signed on 23.6.2010 and his consequential communication in Letter No.C1/H/8309/2010, dated 21.9.2010 and quash the same as

unconstitutional and without authority of law and consequently forbear the respondents, their men, officers, employees, subordinates agents or any other persons claiming or acting under them from in any manner interfering with the petitioner's right of peaceful occupation, use and enjoyment of the petitioner's residential house known as Chettinad Palace situate at Raja Annamalaipuram, Chennai - 600 028.

PRAYER in W.P.No.12552 of 2011: Petition under Article 226 of the Constitution of India for issuance of a writ of Declaration, declaring that Regulation 31 and Annexure 25 of the Development Regulations 2008 forming part of Second Master Plan for Chennai Metropolitan Area 2026 are unconstitutional and ultra vires the provisions of the Tamilnadu Town and Country Planning Act 1971 and Article 300A of the Constitution of India.

For Petitioner : Ms. Annuppama Kumar
for M/s. R. Parthasarathy

For Respondents : Mr. T. N. Rajagopalan
Spl. Government Pleader
for 1st respondent

Mr. N. Sampath
for 2nd respondent

M/s. Karthika Ashok
for 4th respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner passed away sometime back and these petitions are thus disposed of as having abated. No costs. Consequently, M.P.Nos. 2 and 3 of 2011 in W.P.No.12551 of 2011 and M.P.No.1 of 2011 in W.P.No.12552 of 2011 are closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The Secretary to Government
State of Tamil Nadu
Housing and Urban Development Department
Secretariat, Fort St. George
Chennai - 600 009.

+2cc to Mr.N. Sampath, Advocate, S.R.No.66596,66597

+1cc to Mr.R. Parthasarathy, Advocate, S.R.No.67143

+1cc to the Government Pleader, S.R.No.66723

sai(CO)

md(29/11/2016)

W.P.Nos.12551 and 12552 of 2011



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