

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.22622 of 2012

and

M.P.No.1 of 2012

M/s.Chaitanya Builders and Leasing Pvt. Ltd.,
rep. by its Authorised Signatory
Mrs.Nirmala Rajan
No.15, Khader Nawaz Khan Road,
Chennai-600 006. .. Petitioner

-vs-

- 1.State of Tamil Nadu,
rep. by its Secretary to Government,
Ministry of Housing and Urban Development,
Fort St. George,
Chennai-600 009.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.8, Gandhi Irwin Road,
Chennai-600 008. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration to declare the Amended Provisions 63B and 63C of Tamil Nadu Town and Country Planning Act 1971 authorising to Levy collection of infrastructure and amenities charges as ultra vires to the Constitution and forbearing the respondents from levying (or) collecting infrastructure and amenities charges.

For Petitioner : Mr.S.Sundaresan

For Respondents : Ms.Vasudha Thiagarajan
Addl. G.P. for R1
Mr.N.Sampath for R2

ORDER

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

The learned counsel for the petitioner states that the matter is no more res integra, in view of the judgment of the Division Bench of this Court in D.Manikandan and another v. State of Tamil Nadu and others, 2013 (5) CTC 494.

2. The present writ petition is also disposed in terms thereof. Consequently, M.P.No.1 of 2012 is close.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Ministry of Housing and Urban Development,
Fort St. George, Chennai-600 009.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.8, Gandhi Irwin Road, Chennai-600 008.

+lcc to Mr.Sundaram, Advocate, S.R.No.72686
+lcc to Mr.N.Sampath, Advocate, S.R.No.72327
+lcc to the Government Pleader, S.R.No.72137

mg(CO)
md(23/12/2016)

सत्यमेव जयते

W.P.No.22622 of 2012

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