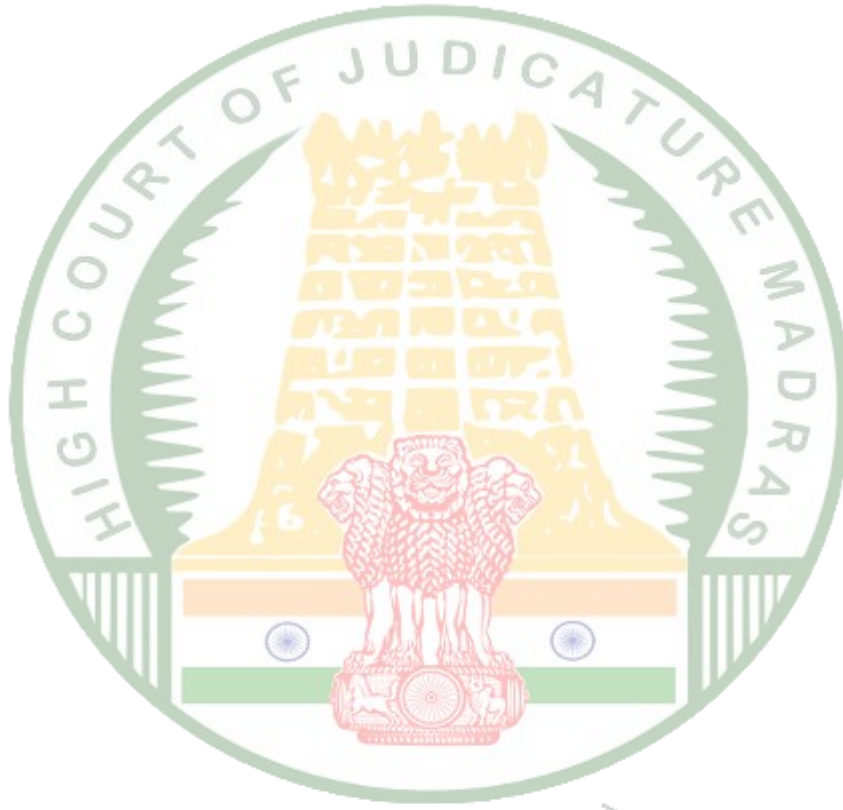




सत्यमेव जयते

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.11.2017
CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
And
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.2097 of 2013
And
M.P.No.1 of 2013

Chennai Metropolitan Development Authority
Rep. by its Member-Secretary,
No.1, Gandhi-Irwin Road,
Egmore,
Chennai - 600 008. Appellant/Respondent/
Respondent

Vs.

S.S.Prasad Babu Respondent/Petitioner/
Petitioner

Prayer:

Writ appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 01.08.2013 made in M.P.No.1 of 2013 in W.P.No.11655 of 2013 on the file of this Hon'ble Court.

Prayer in WP.No.11655 of 2013: Writ petitions filed under Article 226 of the constitution of India, praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

i) issue writ or any other order particularly in the nature of writ of mandamus forbearing the respondent from levying charges towards premium FSI based on the revised guideline value for the property being developed by the petitioner in Survey No.70/5 (part) 6 (part) 7 (part) 8 (part) and 14 (part) New in T.S No.5 Block No.29 (as per TSLR extract) of Thiruvannamiyur Village with Chennai Corporation limit of and extent of 11,700 sq.ft. and based on the guideline value as it existed on 16.3.2012 when the application in Reference No.B2/4577/2012 dated 16.3.2012 was submitted by the petitioner seeking sanction for planning permission (in WP.11655/13) and

ii) issue interim direction to the respondent to consider and grant planning permission for the property comprised in survey No.70/5 (part), 6(part), 7(part), 8(part) and 14(part),



सत्यमेव जयते

WEB COPY

New in T.S.no.5 Block No.29 (as per TSLR extract) of Thiruvannamur village within Chennai Corporation limit of an extent of 11,700 Sq.ft. based on the planning permission application in Reference No.B2/4577/2012, dated 16.3.2012, by levying charged for premium FSI based on guideline value for the property in question as it existed on 16.3.2012 (in MP.1/2013) pending WP.No.11655/2013 respectively.

For Appellant : Mr.K.Rajashrinivas
For Respondent : No Appearance

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

The learned Standing Counsel for the appellant on instructions submitted that nothing survives for adjudication in view of the payment made by the respondent. According to the learned Standing Counsel, the CMDA on receipt of the amount issued the completion certificate to the builder.

2.The writ petition is still pending. The substantial issues raised by the respondent requires to be decided in the writ petition. Now that the appellant has received the amount involved in this matter nothing survives for adjudication.

3.The intra court appeal is dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is also closed.

pri

Sd/-
Assistant Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

+1cc to Mr.K.Rajashrinivas, Advocate SR.No.79043

W.A.No.2097 of 2013
And
M.P.No.1 of 2013

MR(CO)
sm:29.11.2017