

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.25651 of 2012  
and  
W.M.P.Nos. 1&2 of 2012

M.K.Stalin  
Member of Legislative Assembly (M.L.A.),  
Kolathur Assembly Constituency,  
No.1, I Circle Road,  
Jawahar Nagar, Chennai-600 082 ... Petitioner

Vs.

1. The Corporation of Chennai,  
Rep. by its Commissioner,  
Rippon Building,  
Chennai-600 003.
2. The Wards Committee rep by its Chairman  
Zone-VI  
The Corporation of Chennai.  
Ripon Building,  
Chennai-600 003.
3. The Superintending Engineer,  
Building Department,  
The Corporation of Chennai.  
Ripon Building,  
Chennai-600 003. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned resolution of the 2nd respondent in subject No.89, passed in its Ordinary meeting held on 27.06.2012 and consequential order i.e. communication in B.D.N.K.No.B6/1447/2012 dated 10.08.2012 passed by the 3rd respondent and to quash the same, consequentially direct the respondents to reconstruct the Corporation Owned Community Hall situated in New Ward No.68 (Old No.51) at SRP Koil Street (North), Chennai-82, opposite to Thiru.Vi.Ka.Nagar Bus Stand, with new design, by utilizing the fund of Rs.1 Crore Contributed by the petitioner, as the MLA of Kolathur Constituency from and out of his

Constituency Development Fund, allocated for the year 2011-2012, within a reasonable time to be fixed.

For Petitioner : P.Wilson, Senior Counsel  
for Mr.R.Neelkandan

For Respondents : Mr.R.Arunmozhi

ORDER

Today, when the writ petition is taken up for hearing, the learned Senior Counsel representing the learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition and made the following endorsement on the petition:

"The respondent appears to have now accepted and has decided to reconstruct the subject Corporation Community Hall out of the MLA funds of the petitioner. In view of the assurance, the present writ petition is withdrawn with liberty to the petitioner to approach this Hon'ble Court on the same cause of action as and when required. A letter to that effect has also been given".

2. In view of the above endorsement and letter dated 14.09.2017 submitted by the learned counsel for the petitioner to the Registry, the writ petition stands dismissed as withdrawn, with the liberty to the petitioner to approach this Court for the same cause of action as and when required. No costs. Consequently, the connected Miscellaneous Petitions are closed.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

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To

1. The Commissioner,  
Corporation of Chennai,  
Rippon Building,  
Chennai-600 003.

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2. The Chairman,  
Wards Committee  
Zone-VI  
The Corporation of Chennai.  
Ripon Building,  
Chennai-600 003.

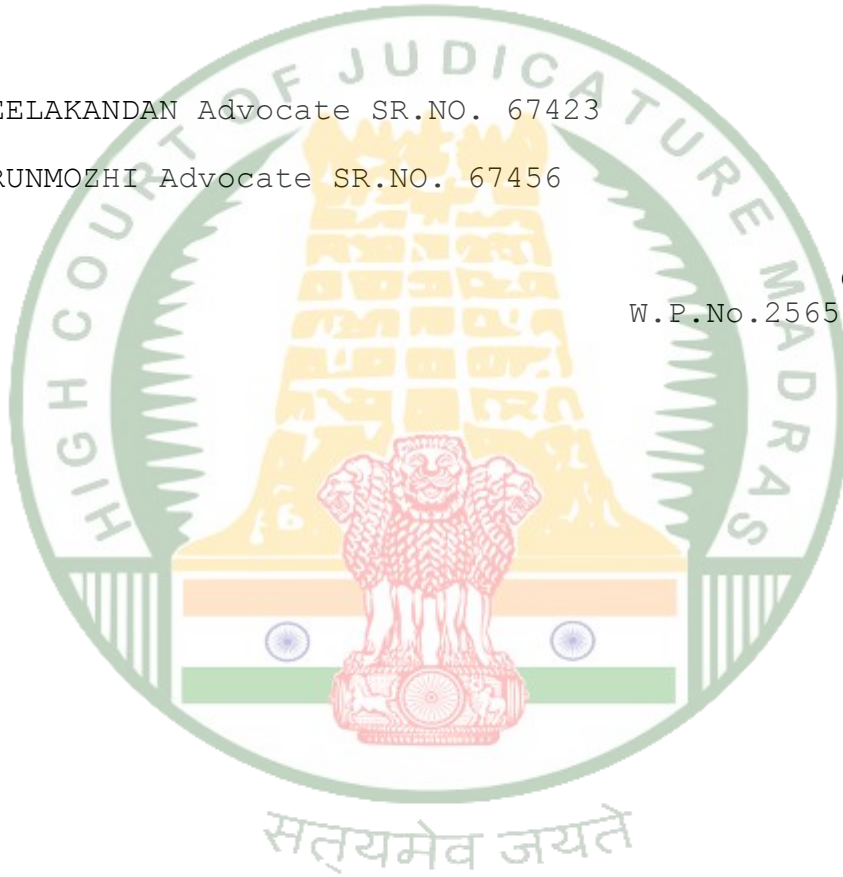
3. The Superintending Engineer,  
Building Department,  
The Corporation of Chennai.  
Ripon Building,  
Chennai-600 003.

+1 cc to MR.R.NEELAKANDAN Advocate SR.NO. 67423

+1 cc to MR.R.ARUNMOZHI Advocate SR.NO. 67456

Order in  
W.P.No.25651 of 2012

RD 11/10/2017



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