

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.11835 of 2002

Mrs.Radha Devi

.. Petitioner

Vs.

1. State of Tamil Nadu,
rep. by Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-9.

2. Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Salai,
Egmore, Chennai-8.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, direction declaring that the provisions of Rule 19(b) (III)-(B) of the Development Control Rules as ultra vires, illegal, unconstitutional and unenforceable in so far as it relates to levy and collection of security deposit for the proposed development and consequently direct the respondents to issue planning permission for commercial complex at Door No.156, Poonamallee High Road, Chennai, without insisting on security deposit as contained in Lr.No.B2/36258/2001 dated 22.03.2002 of the second respondent and pass such further or other orders.

For Petitioner : No appearance

For Respondent : Mr.S.Diwakar, Spl GP, for R1

Mr.N.Sampath for R2

ORDER

When the writ petition was taken up for hearing on 09.10.2017, there was no representation for the petitioner. Hence, the Writ petition was directed to be listed under the caption 'for dismissal' on 10.10.2017. On 11.10.2017, when the writ petition was taken up for hearing, there was no representation for the petitioner, and this Court directed the Registry to verify the seriatim number of the Writ Petition and

W.M.P. and directed the Writ Petition to be listed under the same caption on 12.10.2017. Accordingly, the Writ Petition is listed today (12.10.2017) in the said caption, after verifying the serial number of the Writ Petition and W.M.P. Even today, there is no representation for the petitioner, inspite of the matter being listed under the said caption and the name of the learned counsel for the petitioner having been called twice. Hence, this Writ Petition is dismissed for default. No costs.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

To:

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-9.
2. Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Salai,
Egmore, Chennai-8.

+1 CC to Mr.N.Sampath Advocate SR.NO.73871

+1 CC to Government Pleader SR.No.74420

Order in
W.P.No.11835 of 2002

VC (1/11/2017)

सत्यमेव जयते

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