

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :30.06.2017

Coram:

The Hon'ble Mr.Justice S.M. Subramaniam

W.P.Nos. 42615 & 42616 of 2002

Sree Pathi Nagar Welfare,
Association, (Regd No.50/82)
No.56, 5th Street,
Sreepathi Nagar, Nanjundapuram,
Coimbatore - 36.

...Petitioner in both the WPs

Versus

1. State of Tamil Nadu
Rep. by Secretary to Govt,
Municipal Administration &
Water Supply Department,
Fort St. George, Chennai - 9.

2. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 1.

...Respondents in both the WPs

Prayer in W.P.No. 42615 of 2002:

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the respondents relating to the impugned orders vide G.O.Ms No.130 Municipal Admn. & Drinking Water Supply Department dated 03.06.1999, G.O.Ms No. 79, Municipal Administration & Drinking Water Supply Department, dated 16.06.2000, G.O.Ms No.16, Municipal Administration & Drinking Water Supply Department, dated 01.02.2001 in so far as they contemplate the collection of amounts equivalent to the cost of 10% of the extent of lay out to be left as common area at present market value or any other amount except the amount already collected from the members of petitioner towards development charges and the consequential demand made by the second respondent vide communication dated 13.02.2001 vide ref. Na.Ka.No. 11002/99/H1/H2 demanding a sum of

Rs. 31,25,430/- are concerned, quash the same and direct the respondents to regularise the lay out Sreepathi Nagar situated in S.F. Nos.224, 237, 239/2, 240 & 241 in Ramanathapuram Village, Singanallur, within Coimbatore Corporation and to provide all the basic amenities to the members of petitioner out of the development charges collected from the members of the petitioner.

Prayer in W.P.No. 42616 of 2002:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration, declaring Sections 3 and 4 of the Tamil Nadu Municipal Corporation Town & Country Planning Laws (Amendment), Act 2002 and the Tamil Nadu Municipal Corporations & Regularisation of Tamil Nadu Municipal Corporations (Regularisation of Unauthorised and Deviated Development & Construction of Building) Rules 2002 as amended by notification vide G.O. Ms No. 104 Municipal Administration & Water Supply Department dated 31.07.2002 as unconstitutional and unenforceable in so far as they are made applicable to the members of the petitioner.

For petitioner

: Mr. C. V. Vijayakumar

C O M M O N O R D E R

The learned counsel for the petitioners seeks permission of this Court to withdraw these writ petitions. He has also made an endorsement to that effect in the petitions today.

2. In view of the above submission and endorsement made by the learned counsel for the petitioners, these writ petitions are dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

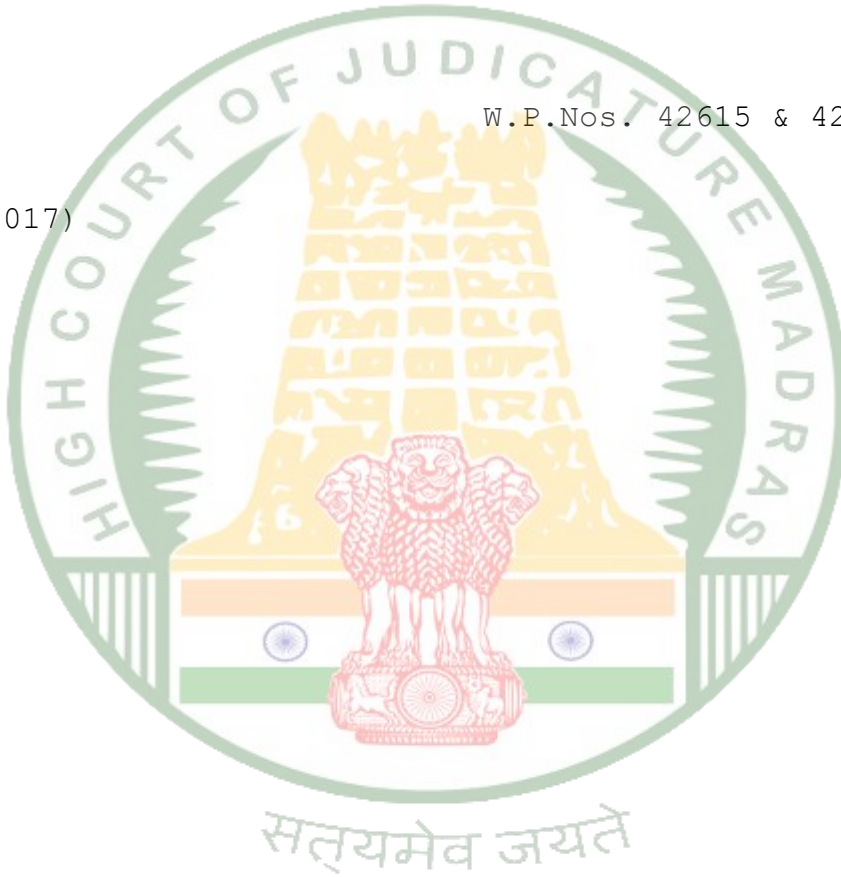
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To

1. Secretary to Govt,
Municipal Administration &
Water Supply Department,
Fort St. George, Chennai - 9.
2. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 1.

W.P.Nos. 42615 & 42616 of 2002

MSM(CO)
GN(21/07/2017)



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