

IN THE HIGH COURTz OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.166 of 2018
and C.M.P.No.957 of 2018

Farm grove Srinivasa Nagar Owners and
Residents Welfare Association,
represented herein by its Secretary
Mr.V.S.Ramakrishnan
Plot No.188-189, Farm grove
Srinivasa Nagar, Kazhipathur Village,
Kancheepuram - 603 103.

..... Petitioner/
Appellant

-vs-

1. The State of Tamil Nadu
rep. By Secretary to Government,
Rural Development, Secretariat,
Fort St. George, Chennai - 600 009.
2. The District Collector,
Collector's Office, Kancheepuram.
3. The Tahsildar, Thiruporur Taluk,
Thiruporur.
4. The Director of Town and Country Planning,
Directorate of Town and Country Planning,
807, Anna Salai, Chennai - 600 002.
5. The President,
Padur Panchayat Union,
Padur - 603 103.
6. The President,
Muttukadu Panchayat Union,
Old Mahabalipuram Road,
Egattur, Chennai - 603 103.

WEB COPY

7. Sri.Kshipra Ganapathy Thiru Koil Trust,
represented by its Managing Trustee,
Mr.T.Srinivasan
8. Sri Balachandra Builders Pvt. Ltd.,
represented by its Managing Director
Mr.T.Srinivasan
9. Tranquil Garden Plot Owners Association,
rep. By its President,
H103/1, Suksagar Apats,
III Seaward Road, Valmiki Nagar,
Thiruvannamiyur, Chennai - 600 041.

..... Respondents/ Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent against the order passed in W.P No.17093 of 2016 dated 07.12.2017.

Prayer in W.P.No17093/2016 Petition filed under Article 226 of the Constitution of India, Praying to issue a Writ of Certiorarified Mandamus, calling for the file and records of the 3rd respondent relating to and culminating into the order date 22/04/2016 Passed in Proceedings Na.Ca.No.1186/2016/A2 and Quash the same and consequently direct the 8th respondent to cancel the gift deeds registered as Documents Nos.8187 and 8188 both dated 08.08.2007 and also Document No.3849/2008 dated 28.05.2008, so as to restore the roads with Petitioner Association in terms of clause 7 of the Development Agreement (Prayer amended as per order 07/12/2017 in WMP.18058/2016 in WP 17093/2016)

For Appellant :Mr.J.Madhanagopal Roa

For Respondents:Mr.V.Anandhamoorthy,AGP - R1 to R4

Mr.S.Udhayakumar - R7 & R8

Mrs.V.J.Latha - R9

R5 & R6 - No appearance

J U D G M E N T

[Judgment of the Court was delivered by
K.K.SASIDHARAN,J.]

The learned counsel on record for the appellant/Writ Petitioner made endorsement indicating that he is withdrawing the Writ Petition and would remove the gate forthwith without prejudice to the right of the concerned members/association to

approach the appropriate authority for appropriate relief.

2. In view of the endorsement so made, the Writ Petition is dismissed as withdrawn.

3. In view of the dismissal of the Writ Petition, nothing further survives for adjudication in the Writ Appeal. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

SI

To

1. The State of Tamil Nadu
rep. By Secretary to Government,
Rural Development, Secretariat,
Fort St. George, Chennai - 600 009.
2. The District Collector,
Collector's Office, Kancheepuram.
3. The Tahsildar, Thiruporur Taluk,
Thiruporur.
4. The Director of Town and Country Planning,
Directorate of Town and Country Planning,
807, Anna Salai, Chennai - 600 002.

+lcc to Ms.V.J.Latha, Advocate, S.R.No.48837.
+lcc to Mr.G.Sundaram, Advocate, S.R.No.48889.
+lcc to Mr.G.Sundaram, Advocate, S.R.No.48889(07/08/2018)
+lcc to Mr.S.Udayakumar, Advocate, S.R.No.49203.
+lcc to the Government Pleader, S.R.No. 49372.

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and C.M.P.No.957 of 2018

MR (CO)
BM 06/08/2018.