

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2018

CORAM
THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAMWP.No.19195 of 2010
& M.P.No.1 of 2010

Muthulakshmi Achi
Rep. By their Power Agent,
Mr.E.Krishna Reddy ...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai - 9.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 8. ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration to declare that the rule 19 (b) III B of Development Control rules as ultra vires of the Tamil Nadu Town and Country Planning Act, illegal, unconstitutional and unenforceable so far as it relates to the demand of security deposit for the proposed development and consequently, direct the 2nd respondent to issue planning permission on the petitioner's application dated 11.12.2009 without insisting on payment of security deposit of Rs.24,15,000/- as per letter dated 29.07.2010 on the file of the 2nd respondent.

For Petitioner : Mr.P.B.Balaji
For Respondents : Mr.V.Shanmuga Sundar, Spl.G.P.
(for R1)
Mr.N.Sampath (for R2)

ORDER

The learned counsel for the petitioner submitted that the prayer sought for in this writ petition has become infructuous and he has made an endorsement to that effect.

In the light of the above submission and endorsement made by the learned counsel for the petitioner, the writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

SD
ASSISTANT REGISTRAR (CO)

TRUE COPY

SUB ASSISTANT REGISTRAR

To

1. The Secretary to Government,
The State of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George,
Chennai - 9.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 8.

1cc to the GOVERNMENT PLEADER SR.NO. 19669

1CC TO MR. S.V. SAMPATH, ADVOCATE SR.NO.:18508

WP.No.19195 of 2010

DM

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