

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. No. 25732 of 2004
and
W.P.M.P. No.31278 of 2004

M.Hariharan

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep. By its Secretary,
Housing and Urban Development
Department,
Fort St. George, Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan Development
Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, declaring that the provisions of Rule 19(b) (III-B) of the Development Control Rules and Rule 13 of the Special Rules for Multi storied Building as ultra vires, illegal, unconstitutional and unenforceable in so far as it relates to levy and collection of Security Deposit for proposed development and consequently direct the respondents to issue planning permission for proposed development of basement floor + II floors (part) of residential flats put up at Door Nos.136 to 139, Poonamallee High Road, Kilpauk, Chennai-10 comprised in R.S.No.455/1,4,5 & 6, Block No.27 without insisting on security deposit of Rs.6,53,000/- for proposed development as contained in the communication dated 02.09.2004 in Lr.No.C3/9584/2004 of the 2nd respondent.

For Petitioner

: Mr.R.Mohan

For Respondents

: Mr.M.Elumalai,

Government Advocate
for 1st Respondent

: Mr.K.A.Ravindran,
Counsel for 2nd Respondent

O R D E R

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition and he has also made an endorsement to that effect.

2. In view of the submission and endorsement made by the learned counsel for the petitioner, the writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

mrp

To

1. The Secretary,
Housing and Urban Development
Department,
Fort St. George, Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

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GMY (06/09/2018)