

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.06.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NOS.37548 & 37549 OF 2005

AND

W.P.M.P.NOS.40250, 40251, 40253 & 40254 OF 2005

- 1.M.Sundari
- 2.M.Sundaravadivelu
- 3.M.Janardhanan @ M.Sivakumar
- 4.M.Vijayakumar
- 5.M.Rekha
- 6.K.Harikrishnan

.. Petitioners in W.P.No. 37548 of 2005

1. Kamalammal
2. Muniammal
3. Sridhar
4. Pachaiammal
5. Jagadambal
6. Jayalakshmi
7. Bhavani
8. Suyamalli
9. Iralan Ponvel

..Petitioners in W.P.No. 37549 of 2005

Vs.

1. Government of Tamil Nadu,
Rep. by Secretary,
Housing & Urban Development Department,
Fort St.George, Chennai - 600 009.

2. The Sub-Registrar,
Thirupporur, Chengalpattu Taluk,
Kancheepuram District.

3. Chennai Metropolitan Development Authority,
by Member Secretary,
Thalamuthu Natarajan Buildings,
No.8, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

.. Respondents in both writ petitions

Prayer in W.P.No. 37548 of 2005:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to G.O.Ms.No.241, Housing and Urban Development (UD-III-1) Department dated 19.9.2003 on the file of the 1st respondent Government of Tamil Nadu quash the same as illegal and ultra vires and further direct the second respondent to register the aforesaid sale deed relating to the said lands comprised in S.No. 1345/2, admeasuring 0.66 cents situate in No.46, Thayur-B village covered by Patta No.751, Tiruporur Sub-Registration District, Chengalpattu Taluk, Kancheepuram District and Registrations District of South Chennai without any recourse to G.O.Ms.No.241 Housing and Urban Development (UD-III-1) Department dated 19.9.2003.

Prayer in W.P.No. 37549 of 2005:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to G.O.Ms.No.241, Housing and Urban Development (UD-III-1) Department dated 19.9.2003 on the file of the 1st respondent Government of Tamil Nadu quash the same as illegal and ultra vires and further direct the second respondent to register the aforesaid sale deed relating to the said lands comprised in S.No. 355/1B, admeasuring 0.43.5 Hectares equal to Acre 1.08 cents and the property comprised in S.No. 356/1A admeasuring 0.17.5 Hectares equivalent 43 cents totaling in all 0.61 Hectares equivalent to Acre 1.51 cents situate in No.46, Thayur-B village covered by Patta No. 938, Tiruporur Sub-Registration District, Chengalpattu Taluk, Kancheepuram District and Registration District of South Chennai without any recourse to G.O.Ms.No.241 Housing and Urban Development (UD-III-1) Department dated 19.9.2003.

For Petitioners : Mr.M.K.Hidayatullah
(in both writ petitions)

For Respondents : Mr.J.Ramesh, AGP
for R1 & R2
Mr.P.Tamil Mani for CMDA
for R3 (in both writ petitions)

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COMMON ORDER

The learned counsel appearing for the petitioners would submit that the petitioners have filed these writ petitions challenging the Government Order in G.O.Ms.No. 241 dated 19.09.2003, wherein the Government has directed the Revenue Officials not to allow any sale or transfer of land within the jurisdiction of Thiruvidadanthai and Thayyur Village. When the

writ petitions were taken up for consideration, the learned Additional Government Pleader appearing for the respondents would submit that the Government has withdrawn the Government Order, which is under challenge in these writ petitions.

2. The learned counsel for the petitioners are seeking time for verification of the same.

3. This Court records the submission made by the learned Additional Government Pleader that the Government Order impugned in these writ petitions has been withdrawn. That being the case, nothing survives for further adjudication in these writ petitions and no purpose would be served in keeping these writ petitions pending.

4. Accordingly, the writ petitions are closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmm

To

1. Government of Tamil Nadu,
Rep. by Secretary,
Housing & Urban Development Department,
Fort St.George, Chennai - 600 009.
2. The Sub-Registrar,
Thirupporur, Chengalpattu Taluk,
Kancheepuram District.
3. Chennai Metropolitan Development Authority,
by Member Secretary,
Thalamuthu Natarajan Buildings,
No.8, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

+lcc to the Government Pleader, S.R.No.54016

W.P.No.37548 & 37549 of 2005

VBA(CO)
CS/10/09/2019