

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7096 of 2011
and MP.No.2 of 2011

Prashant Chopra

...Petitioner

Versus

1. The Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
Thalamuthu Natarajan Maaligai,
No.8, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2. The Manager,
The Central Bank of India,
AC-10 IInd Avenue,
Anna Nagar West,
Chennai 600 040.

...Respondents

PRAYER:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent culminating in letter No.F5/22537/2008 dated 1.3.2011 issued by the respondent to the Central Bank of India, Anna Nagar Branch, Chennai 600 040, calling upon it to release the funds governed by the Bank Guarantee No.24/02, dated 29.05.2008, which was extended on 18.12.2009 and 25.03.2010 for Rs.59,18,500/- for infrastructure and amenities charges for the development of the property in T.S.No.327/16, 331/10, 330/11, 330/13, 330/2, 327/17 in No.137 Tambaram Velachery Road, Velachery, Chennai and quash the same, consequently forbearing the 1st respondent from invoking, receiving the money under the Bank Guarantee No.24/02 dated 29.05.2008 for Rs.59,18,500/- furnished by the petitioner through Central Bank of India, Anna Nagar Branch, Chennai 600 040, towards the demand of infrastructure and amenities charges.

For Petitioner : Mr.K.Sevugan, for
M/s.Rank Associates

For Respondents : Ms.P.Veena Suresh for R1
Standing Counsel (CMDA)

O R D E R

This Writ Petition has been filed seeking for issuance of Certiorarified Mandamus, calling for the records of the 1st respondent culminating in letter No.F5/22537/2008 dated 1.3.2011 issued by the respondent to the Central Bank of India, Anna Nagar Branch, Chennai 600 040, calling upon it to release the funds governed by the Bank Guarantee No.24/02, dated 29.05.2008, which was extended on 18.12.2009 and 25.03.2010 for Rs.59,18,500/- for infrastructure and amenities charges for the development of the property in T.S.No.327/16, 331/10, 330/11, 330/13, 330/2, 327/17 in No.137 Tambaram Velachery Road, Velachery, Chennai and quash the same, consequently forbearing the 1st respondent from invoking, receiving the money under the Bank Guarantee No.24/02 dated 29.05.2008 for Rs.59,18,500/- furnished by the petitioner through Central Bank of India, Anna Nagar Branch, Chennai 600 040, towards the demand of infrastructure and amenities charges.

2.When the matter is taken up for consideration, the learned counsel for the petitioner submitted that the relief sought for by the petitioner in this petition has become infructuous. He has also made an endorsement to that effect in the Court bundle.

3.Recording the said submission and endorsement made, this Writ Petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Member Secretary, सतयमेव जयते
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.8, Gandhi Irwin Road, Egmore, Chennai 600 008.
2. The Manager, WEB COPY
The Central Bank of India,
AC-10 IInd Avenue, Anna Nagar West, Chennai 600 040.

+1cc to M/s.Rank Associates, Advocate in sr.no.66706

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PA(CO)

CS/16/09/2019