

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. No.29236 & 29685 of 2017
and

W.M.P.Nos.31490, 32007 & 32008 of 2017

The Tamil Nadu Cricket Association,
rep. by its Honorary Joint Secretary
Mr. R.I. Palani
M.A. Chidamaram Stadium
Victoria Hostel Road,
Chepauk, Chennai 600 005

... Petitioner in W.P.29236/2017

Madras Cricket Club,
A Company registered under the Companies Act 1913
rep. herein by its Honorary Secretary,
I Babu Jagjivan Road,
Chepauk, Chennai 600 005 ... Petitioner in W.P.29685 /2017

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary to Government
Department of Revenue,
Secretariat, Fort St. George,
Chennai 600 009.
2. The Collector,
No.32, Rajaji Salai,
Chennai 600 001.
3. The Tahsildar,
Mylapore, Triplicane Taluk,
Chennai 600 028.

.. Respondents in W.P.29236/2017

1. The State of Tamil Nadu represented
by the Revenue Secretary,
Fort St. George,
Chennai 600 009.

2. The Collector of Chennai,
Rajajii Salai,
Chennai 600 001.

3. The Tahsildar,
Mylapore- Triplicane Village,
Greenways Road,
Chennai - 600 028

.. Respondents in W.P.29685/2017

PRAYER in 29236 of 2017 : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the third respondent in letter bearing reference Na.Ka.No.A3/14059/1999, dated 11.09.2017 and addressed to the petitioner, quash the same and consequently direct the respondents to re-fix the lease rent payable by the petitioner in accordance with law.

PRAYER in 29685 of 2017 : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the third respondent culminating in the impugned demand/order dated 11.09.2017 bearing ref. Na.Ka.No.AA3/14059/99 determining the arrears of lease rentals at Rs.225,02,94,459/- for the period 2001 to 2015 in respect of land admeasuring 1 cawnie 15 grounds and 1104 sq.ft in R.S.No.2622/12(2416 and 2414(part) and R.S.No.2622/4) in Triplicane Village, Chennai District leased to the petitioner, quash the same and to consequently forbear the respondents, their men, agents and servants from claiming , demanding , and /or recovering from the petitioner the said sum of Rs.225,02,94,459/-(Rupes Two Hundred and Twenty five Crores;Two Lakhs Ninety Four thousand four Hundred and fifty nine only) or any other sum, including by way of initiating any action under the Revenue Recovery Act and to direct the second and third respondents to defreeze the petitioner's current Account No.179102000000006 with the Chepauk Branch of Indian Overseas Bank and by refunding the sums appropriated from the said account.

For Petitioner : Mr. P.R. Raman,
in W.P.29236/2017 Senior Counsel,
for M/s. C. Seethapathy.

For petitioner
in W.P.29685/2017 : Mr. A.L.Somayaji,
Sr. Counsel
for Mr.S.Raghunathan

For Respondents : Mr. K.K.Ramesh,
in W.P.29236/2017 Govt. Advocate

For respondents
in W.P.29685/2017

: Mr.ZakirHussain

O R D E R

The learned counsel for the petitioners submit that in view of the subsequent order passed by the respondents re-fixing the lease amount, the prayer sought for in these writ petitions has become infructuous and that they seek permission of this Court to withdraw these writ petitions. They have also given letters dated 26.11.2019 and 27.11.2019 to the Registry to that effect.

2. In view of the letters given by the learned counsel for the petitioners, these writ petitions are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

3. At this juncture, the learned counsel for the petitioners submit that pending these writ petitions, this Court by an order dated 24.11.2017, directed the petitioners herein to furnish the fixed deposits and restrained the petitioners from withdrawing or realizing the fixed deposit amounts without the permission of this Court and in view of the subsequent Government Order, the petitioners may be permitted to withdraw or realize the fixed deposit amounts and pay the amount as per G.O.(Ms) No.448, dated 19.11.2019 issued pending these writ petitions.

4. In view of the above submission, the amounts in the fixed deposit as per the order passed by this Court are permitted to be realized or withdrawn by the petitioners. It is also recorded that the petitioners are ready and willing to deposit the entire lease amount as per the above said Government Order dated 19.11.2019.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Secretary to Government
State of Tamil Nadu,
Department of Revenue,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Collector,
No.32, Rajaji Salai,
Chennai 600 001.

3. The Tahsildar,
Mylapore, Triplicane Taluk,
Greenways Road,
Chennai 600 028.

+1cc to Mr.C.Seetahapathy , Advocate SR.No. 99714

+1 cc to Government Pleader Sr.No. 100424

+1cc to Mr.S.Raghunathan , Advocate SR.No. 99248 (06/01/2020)

W.P. Nos.29236 & 29685 of 2017

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A.SK(17/12/2019)