

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.02.2021
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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.8688 of 2014 &
M.P.Nos.1 & 2 of 2014

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Petitioner

Vs

1.Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
Thala Muthu Natarasar Maligai,
Egmore, Chennai - 600 007.

2.The Chairman Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.

3.The Commissioner,
Corporation of Chennai,
Rippon Building,
Park Town,
Chennai - 600 003.

4.Inspector General of Registration,
Registration Department,
Santhome High Road,
Mylapore,
Chennai - 600 004.

5.G.Shanmugavel Kandasamy

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondents 1 to 4 herein to consider the representation of the petitioner dated 08.02.2014 and 18.03.2014 and initiate action against the 2nd respondent Tamilnadu Housing Board for converting the Open Space Reservation area No.2 into Commercial Shopping Area and allotting the same to the 5th respondent in Public Auction in violation of the approved sanction layout of the CMDA vide BP.No.D2 (2/5209/1988 and PP.5P/LO.No.115/A-18/88, dated 28.10.1988.

For petitioner

... Mr.K.Sridhar
for M/s.K.Sridhar Associates

For respondents 1

... Mr.P.S.Ganesh

For respondent 2 ... Mr.R.Bharath Kumar
For respondent 3 ... Mr.M.Ganesan
For respondent 4 ... Mr.T.M.Pappaiah,
Special Government Pleader
For respondent 5 ... Mr.T.Saravanan

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents 1 to 4 herein to consider the representations of the petitioner dated 08.02.2014 and 18.03.2014 to initiate action against the 2nd respondent Tamilnadu Housing Board for converting the Open Space Reservation area No.2 into Commercial Shopping Area and allotting the same to the 5th respondent in Public Auction in violation of the approved sanction layout of the CMDA vide BP.No.D2 (2/5209/1988 and PP.5P/LO.No.115/A-18/88, dated 28.10.1988.

2. Heard Mr.K.Sridhar, learned counsel for the petitioner, Mr.P.S.Ganesh, learned counsel for the first respondent, Mr.R.Bharath Kumar, learned counsel for the second respondent, Mr.M.Ganesan, learned counsel for the third respondent, Mr.T.M.Pappaiah, learned Special Government Pleader for the fourth respondent and Mr.T.Saravanan, learned counsel for the fifth respondent.

3. As seen from the affidavit filed in support of this writ petition, the petitioner is aggrieved by the allotment of Open Space Reservation Area to the fifth respondent by the second respondent.

4. Mr.T.Saravanan, learned counsel for the fifth respondent would submit that subsequent to the filing of this writ petition, the second respondent has withdrawn the allotment in favour of the fifth respondent and has also refunded the entire amount paid by the fifth respondent.

5. Since the prayer sought for in this writ petition has been achieved by the petitioner, nothing survives for adjudication in this writ petition. Accordingly, this writ petition is closed. No costs

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Thala Muthu Natarasar Maligai,
Egmore, Chennai - 600 007.

2.The Chairman Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.

3.The Commissioner,
Corporation of Chennai,
Rippon Building,
Park Town,
Chennai - 600 003.

4.Inspector General of Registration,
Registration Department,
Santhome High Road,
Mylapore,
Chennai - 600 004.

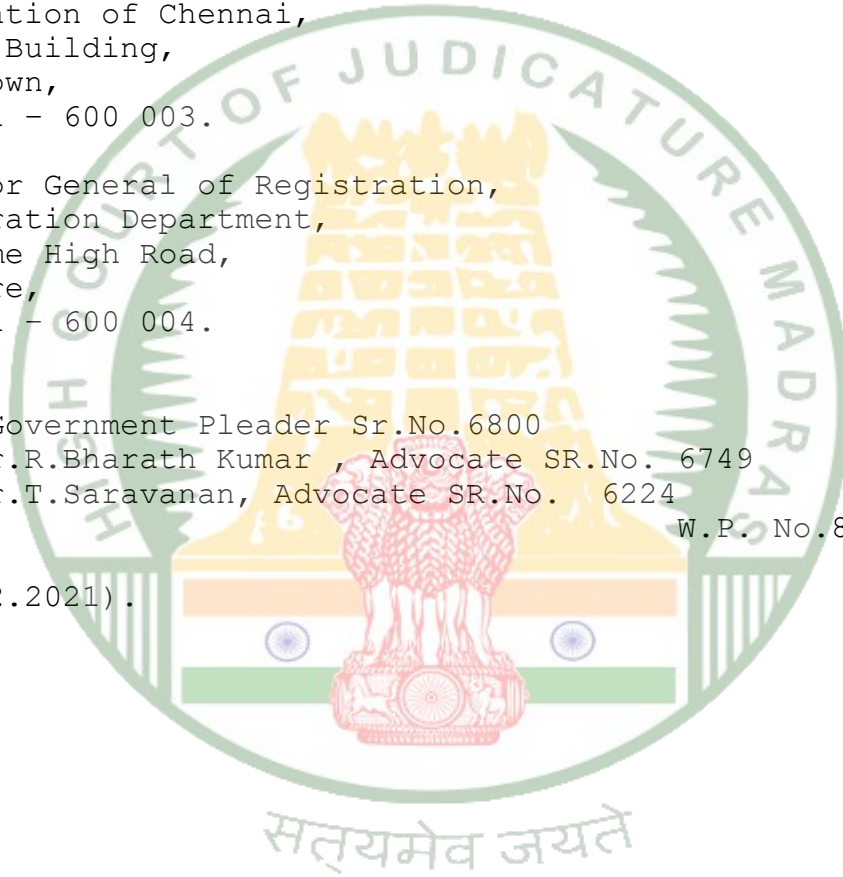
+1 cc to Government Pleader Sr.No.6800

+1cc to Mr.R.Bharath Kumar , Advocate SR.No. 6749

+1cc to Mr.T.Saravanan, Advocate SR.No. 6224

W.P. No.8688 of 2014

A.SK(22.02.2021) .



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