

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.04.2021

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No. 4744 of 2014

and

WMP.Nos.1 & 2 of 2014

M/s. Isha Homes (India) Pvt. Ltd.,
Rep. by its Authorised Signatory,
Mr.N.Anbumani
E-29, Second Avenue,
Besant Nagar, Chennai -600090

..Petitioner

Vs

1. The State of Tamil Nadu,
Rep.by its Secretary to Govt.,
Housing and Urban Development Department,
Fort St.George, Chennai-9.
2. Chennai Metropolitan Development Authority,
Rep.by its Member-Secretary,
No.1, Gandhi-Irwin Road,
Egmore, Chennai-8.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, directing the respondents to call for the records of the 2nd Respondent dated 10.02.2014 in Letter No.BC1/11326/2012 with respect to the demand of Rs.50,80,000/- towards security deposit for the proposed development and security deposit for septic tank with upflow filter as contained in the colum (v) and (vi) of the impugned order of the 2nd respondent with respect to the building to be put at group development residential building with five blocks (stilt + 4 floors and club house Block with GF + 3 floors) with 216 dwelling units including LIG Block A (party) with 40 dwelling units at Gerugambakkam Main Road, comprised in S.Nos.177/2, 3A, 179/1, 180/2A, 183/1A, 2A, 3A1B, 4 of Kolapakkam Village, Chennai by quash the same and consequently direct the 2nd respondent to grant planning permission as sought for in respect of constructions put up in the aforesaid property, without insisting upon the constructions put up in the aforesaid property, without insisting upon the demand of Security Deposit for development as contained in Letter No.BC/11326/2012 dated 10.02.2014 issued by the 2nd respondent.

For Petitioner : M/s. R.Mohan for Mr.P.Ramanathan
For Respondent No : Mr.D.Suryanarayanan, GA - R1
: Mr.P.Tamilmani - R2

O R D E R

The prayer sought for in the Writ Petition is to direct the respondents to call for the records of the 2nd Respondent dated 10.02.2014 in Letter No.BC1/11326/2012 with respect to the demand of Rs.50,80,000/- towards security deposit for the proposed development and security deposit for septic tank with upflow filter as contained in the column (v) and (vi) of the impugned order of the 2nd respondent with respect to the building to be put at group development residential building with five blocks (stilt + 4 floors and club house Block with GF + 3 floors) with 216 dwelling units including LIG Block A (party) with 40 dwelling units at Gerugambakkam Main Road, comprised in S.Nos.177/2, 3A, 179/1, 180/2A, 183/1A, 2A, 3A1B, 4 of Kolapakkam Village, Chennai by quash the same and consequently direct the 2nd respondent to grant planning permission as sought for in respect of constructions put up in the aforesaid property, without insisting upon the constructions put up in the aforesaid property, without insisting upon the demand of Security Deposit for development as contained in Letter No.BC/11326/2012 dated 10.02.2014 issued by the 2nd respondent.

2. Today, when the matter is taken up for hearing, Mr.P.Ramanathan, learned Counsel appearing for the petitioner submitted that the prayer sought for in the present writ petition has become infructuous and nothing survives for adjudication.

3. Recording the submissions made by the learned Counsel appearing for the petitioner, the writ petition stands dismissed as infructuous. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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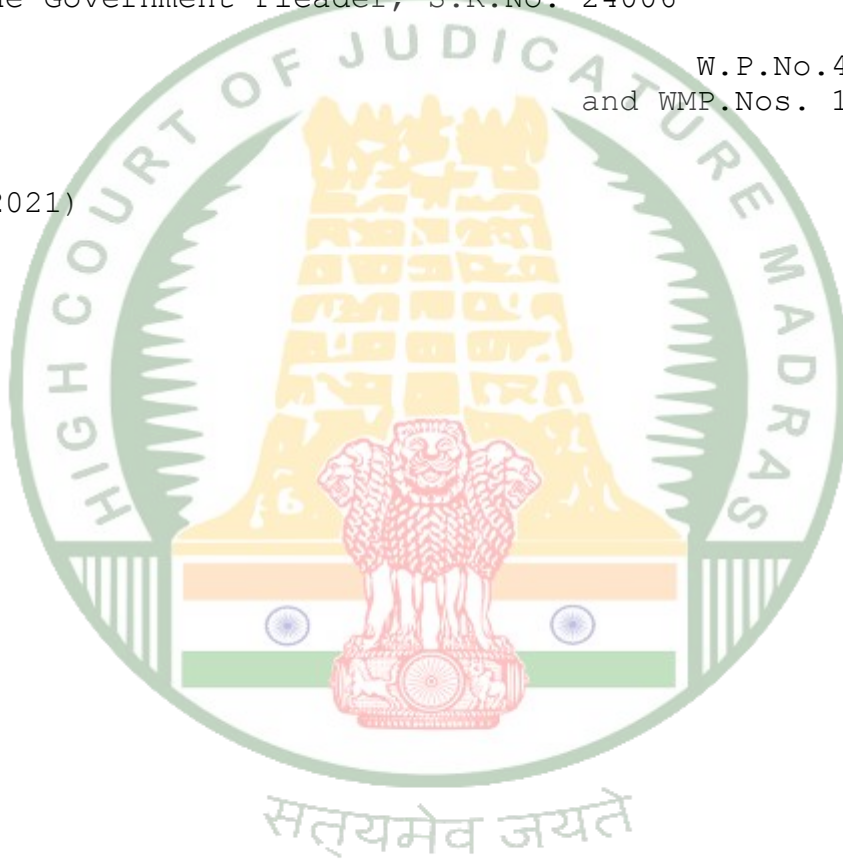
To

1. The Secretary to Government
Housing and Urban Development Department,
Fort St.George, Chennai-9.
2. The Member-Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi-Irwin Road,
Egmore, Chennai-8.

+1cc to Mr.P.Tamilmani, Advocate, S.R.No. 23960
+1cc to the Government Pleader, S.R.No. 24006

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PP(CO)
GN(12/07/2021)



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