



W.P. No. 247 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : **17.11.2022**

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No. 247 of 2020

and

W.M.P.No.283 of 2020

D. Kavitha

... Petitioner

Vs.

1. Special Tahsildar (L.A)
Chennai Unit II
Chennai Metro Rail Ltd.,
Harini Towers (LA Division)
Door No.7, Conron Smith Road,
Gopalapuram, Chennai – 600 086.

2. Chennai Metro Rail Ltd.,
Represented by its Managing Director,
CMRL Depot, Admin Building,
Poonamallee high Road,
Koyambedu, Chennai – 600 107.

3. The Estate Officer and Joint General Manager
CMRL Depot,
Administrative Building
Poonamallee High Road,
Koyambedu, Chennai – 600 107.

....Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Certiorari calling for the records



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pertaining to the demand notice issued by the 3rd respondent vide Rc.No.EST/D.N/land-phase-1/26/2019 dated 18.12.2019 and quash the same and pass orders.

For Petitioner : Mr.Adinarayana Rao

For Respondents 1 and 2 : Mr. K.M.D. Muhilan
Government Advocate

For Respondent-3 : M/s Jayesh B.Dolia

ORDER

The petitioner had filed this Writ petition for issuance of a Writ of Certiorari calling for the records relating to the impugned demand notice Rc.No.EST/D.N/land-phase-1/26/2019 dated 18.12.2019 and quash the same.

2. The case of the petitioner is that the second respondent acquired the subject land and further an award was also passed an Award on 12.01.2012. Challenging the same the petitioner filed a claim petition vide LA.O.P.No.8 of 2013 on the file of VI Assistant City Civil Court at Chennai and the same is pending. When this being the case, the 3rd respondent issued a demand notice dated 18.12.2019 demanding the petitioner to pay rent as the



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petitioner is using the CMRL land for his ingress and egress. Aggrieved over the same the petitioner has come up with this writ petition.

3. The learned standing counsel appearing for the third respondent submits, on instruction that the 3rd respondent will not demand any payment of rent and permits for free ingress and egress to the petitioner and is expressing to withdraw the demand notice.

4. Recording the submission made by the learned standing counsel appearing for the third respondent, the 3rd respondent is permitted to withdraw the impugned demand notice. Accordingly, this writ petition stands closed. No order as to costs. Consequently the connected miscellaneous petition is closed.

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Index: Yes/ No

Internet: Yes/No

smn

M.DHANDAPANI,J.



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