



WEB COPY



W.P. No. 10936 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10936 of 2008

A.V.C.Charitable Trust,
Rep. by its Chairman, A.Anbuchelvan,
No. 74, Aspiran Gardens, Kilpauk,
Chennai – 600 010.

... Petitioner

-VS-

1. The Member Secretary,
Chennai Metropolitan Development Authority,
No. 1, Gandhi Irwin Salai,
Egmore, Chennai – 600 008.

2. The Commissioner,
Villivakkam, Panchayat Union,
Ambattur, Chennai – 600 053.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Declaration, declaring that the proposed levy or demand of vacant site Demand Letter No/C4/446/2008 dated 22.04.2008 by the First Respondent tax as condition precedent for granting building permission/ building permit to the Petitioner trust is illegal, ultra vires the provisions of the District Municipalities Act and unconstitutional and consequently direct the Respondents to process the application and grant planning permit, building permit without insisting upon the payment of vacant site tax.



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For Petitioner : Mr. P.C.Harikumar
for P.C.Harikumar & Associates

For Respondents : Mr. R.Revathi (for R1)

No appearance (for R2)

ORDER

Learned Counsel appearing for the Petitioner submits that by efflux of time, the relief sought in this Writ Petition does not remain for consideration, and he has filed a memo dated 26.10.2022 to that effect, which is placed on record.

In fine, the Writ Petition is dismissed as infructuous. No costs.

26.10.2022

skr

Index: Yes/No

Note: Issue order copy by 09.11.2022.

To

1. The Member Secretary,
Chennai Metropolitan Development Authority,
No. 1, Gandhi Irwin Salai,
Egmore, Chennai – 600 008.



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2. The Commissioner,
Villivakkam, Panchayat Union,
Ambattur, Chennai – 600 053.



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P.D. AUDIKESAVALU, J.

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