



W.P.No.24451 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.24451 of 2010

and

M.P.No.1 of 2010

M/s.Sri Kousalya Construction Limited,
Represented by its Director
Mr.Y.Meera Reddy,
No.4, Jayalakshmipuram 1st Street,
Nungambakkam, Chennai - 600 034.

... Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Housing & Urban Development Department,
Chennai - 600 009.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Chennai - 600 008.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring that the provisions contained in Regulation 26(24), 27(25), 28(14) of Development Regulations in so far as Authorising to collect Security Deposit and provisions contained in Rule 7(a) 7 of Annexure XIII under DR.No.24(4) (b) of Development Regulations framed under 2nd Master Plan to Tamil Nadu and Country Planning Act Authorising to collect



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Caution Deposit are ultra virus, unconstitutional, arbitrary and colourable exercise of power and forbearing the 2nd Respondent from insisting on the payment of Security Deposit and Caution Deposit for putting up any construction which are not recognized in law.

For Petitioner	: Mr.S.Sundaresan
For Respondents	:
For R1	: Mr.M.Shahjahan Special Government Pleader
For R2	: Mr.R.Arun Kumar Standing Counsel

ORDER

When the matter was taken up for consideration, the learned counsel for the Petitioner, on instructions, submitted that the relief sought for herein has become infructuous and hence, nothing survives for adjudication in this Writ Petition.

2. In view of the above submission made by the learned counsel for the Petitioner, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

12.07.2022

Index: Yes/ No
Internet : Yes/No
Speaking/Non-Speaking Order
arb



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To

- 1.The Secretary,
Government of Tamil Nadu,
Housing & Urban Development Department,
Chennai - 600 009.

- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Chennai - 600 008.



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C. SARAVANAN, J.

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