



WEB COPY



W.P. No. 27001 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

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

W.P. No. 27001 of 2022

and

W.M.P. No. 26224 of 2022

M/s. Jain Housing and Constructions Limited,
Rep. by its Managing Director: Mr. Sandeep Mehta,
S/o. Mr. Ashok Kumar Mehta,
No. 98/99, Habibullah Road,
T.Nagar,
Chennai - 600 017.

... Petitioner

-VS-

1. State of Tamil Nadu,
Rep. by Principal Secretary,
Housing and Urban Development (UD-1(1)) Department,
Secretariat,
Chennai - 600 009.

2. Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
No. 1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Declaration, declaring that the G.O. No. (Ms). No. 35 dated 18.02.2020 issued by the First Respondent is wholly unconstitutional, illegal and invalid insofar as it provides for forfeiture of premium FSI charges already paid even where the premium FSI portion has not been constructed.



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For Petitioner : Mr. R.Mohan
For Respondents : Mrs. N.Senthil Selvi,
Government Advocate (for R1)
Mr. C.Manoharan (for R2)

ORDER

Learned Counsel for the Petitioner has made an endorsement in the court record stating as follows:-

“In view of G.O. Ms. No. 189 dated 26.10.2022, which supercedes the impugned G.O., the present Writ Petition is not pressed. May be dismissed as withdrawn.”

In such circumstances, the Writ Petition is dismissed as withdrawn. Consequently, the connected Miscellaneous Petition is closed. No costs.

28.10.2022

vjt

Index: Yes/No

Note: Issue order copy by 11.11.2022.



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To

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1. The Principal Secretary to Government of Tamil Nadu,
Housing and Urban Development (UD-1(1)) Department,
Secretariat,
Chennai - 600 009.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
No. 1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008.



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P.D. AUDIKESAVALU, J.

vjt

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