



W.P.No.30151 of 2004

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

W.P.No.30151 of 2004

The Managing Trustee
A Trust for Education and Rehabilitation
of disabled Orphans and Destitute
No.11, Perianna Mudali Street
Seven Wells, Chennai – 600 001.

.. Petitioner

Vs.

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

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of declaration, to declare Rule 7(3) of the Application, Assessment and Collection of Regularization fee (Chennai Metropolitan Area) Rules 1999 as amended up to 24.04.2002 as illegal and null and void insofar as claiming 18% interest for regularization fees.

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For the Petitioner : Mr.P.Subba Reddy

For the Respondent : Mrs.Veena Suresh

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.P.Subba Reddy, learned counsel for the petitioner and Mrs.Veena Suresh, learned counsel for the respondent.

2. It is not in dispute that the impugned Rule stands repealed and new Rules are in force. In the light of that, challenge to the impugned Rule does not survive.

3. Learned counsel for the petitioner submits that interest at the rate of 18% per annum is too harsh. In other case, the respondent levies 6% interest. The petitioner may approach the respondent in that regard and such an application shall be considered by the respondent on merits.



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4. In the light of that, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

26.06.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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



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THE HON'BLE CHIEF JUSTICE
AND
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(drm)

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