



W.P.No.3240 of 2012

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M IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM :

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

AND

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

W.P.No.3240 of 2012

A.Lakshmi Narayanan

.. Petitioner

Vs.

1. The State of Tamil Nadu  
Rep. 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 seeking issuance of a writ of Declaration declaring that the provisions contained in Regulation 26(24), 27(25), 28(14) of Development Regulations to Tamil Nadu and Country Planning Act are ultra vires, unconstitutional, arbitrary and colourable exercise of power and



W.P.No.3240 of 2012

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forbearing the second respondent from insisting on the payment of security deposit for putting up any construction which are not recognised in law.

For the Petitioner : Mr.S.Sundaresan

For the Respondents : Mr.K.Karthick Jesanath  
Government Advocate  
for Respondent-1

Mrs.Veena Suresh  
for Respondent-2

ORDER

(Made by the Hon'ble Chief Justice)

The Petitioner challenges the Regulations 26(24), 27(25) and 28(14) of the Development Regulations approved by the Government of Tamil Nadu in G.O. Ms. No. 190, Housing & Urban Development Department dated 02.09.2008, and notified in the Tamil Nadu Government Gazette Extraordinary No. 266, Part II-Section 2 dated 02.09.2008 as *ultra vires*, unconstitutional, arbitrary and colourable exercise of power.



W.P.No.3240 of 2012

WEB COPY

2. Learned Counsel for the Second Respondent points out that the said Regulations have been repealed by the Tamil Nadu Combined Development and Building Rules, 2019.

3. In the light of that, nothing survives in the writ petition. The writ petition is dismissed. There will be no order as to costs. Consequently, M.P.No.1 of 2012 is also dismissed.

(S.V.G., CJ.)

(P.D.A., J.)

20.06.2023

Index : Yes/No  
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKESSAVALU, J.

(kpl)

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