

In the High Court of Judicature at Madras

Dated: 22.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.12556 of 2003
and WPMP.No.15751 of 2003

N. Savithri ...Petitioner

..vs..

1. State of Tamil Nadu,
rep.by the Secretary to Government
Housing & Urban Development Department,
Secretariat,
Fort St.George,
Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
No.8, Gandhi Irwin Road,
Egmore, Chennai-600 008.

...Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Declaration to declare that the provisions contained in B III of Rule 19 of Development Control Rules to Tamilnadu Town & Country Planning Act are ultra virus, unconstitutional, Arbitrary and colourable exercise of power and forbear the second respondent from insisting on the payment of security deposit for putting up any construction which are not recognised in law in so far as the petitioner is concerned as stated therein.

For Petitioner : Mr.S. Sundaresan

For Respondents : Mr.K. Elango, Spl.G.P. for R1

Mr.J.Ravindran for R2

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

Learned counsel for the petitioner seeks permission to withdraw the above writ petition. He also made an endorsement to that effect in the writ petition. Accordingly, permission is granted and the writ petition is dismissed as withdrawn. However, it is made clear that the petitioner is free to challenge the provisions contained in Rule 19(b)(III)-(B) of the Development Control Rules, if need arises, at the appropriate time. No costs. Consequently, connected WPMP., is closed.

gl

Sd/-
Assistant Registrar

/true copy/

Sub Assistant Registrar.

To

1. The 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.
+ One cc to Govt Pleader sR 65182
+ One cc to J. Ravindran Advocate SR 64921.

KG (co)
sg 10/01/07

सत्यमेव जयते Writ Petition No.12556/03

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