

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.11.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.23452 of 2015

V.Ramathal

[PETITIONER]

Vs

- 1 The State of Tamilnadu
Rep. by its secretary
Housing & Urban Development Department
Fort St. George,
Chennai-9.
- 2 The Special Tahsildar
Land Acquisition Housing Scheme-II
Coimbatore.
- 3 The Managing Director
Tamil Nadu Housing Board
Chennai-35.

[RESPONDENTS]

PRAYER :

Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents 1 to 3 to consider the representation dated 01.07.2015.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.R.Rajeswaran -R1 & R2
Spl. Government Pleader

Mr.B.Vivekvanan - R3

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner, Mr.Mr.R.Rajeswaran, learned Special Government Pleader appearing for respondents 1 & 2 and Mr. B.Vivek Vannan, learned counsel appearing for the third respondent.

3.The petitioner seeks for issuance of a writ of mandamus to direct the respondents to consider the representation dated 01.07.2015, submitted by him and pass orders on merits.

4.The petitioner's land was the subject matter of land acquisition proceedings which was challenged by her by filing W.P.No.5537 of 2000. The said Writ Petition was allowed and the acquisition proceedings were quashed. As against which, the Housing Board along with connected matters, preferred Writ Appeals and the Writ Appeal as against the order in favour of the writ petitioner was W.A.No.891 of 2011, in which the petitioner herein was the first respondent. The Writ Appeals along with connected cases were dismissed by the First Bench of this Court, by Judgment dated 14.09.2011, to which I was a party. The Housing Board challenged the order passed by the Division Bench before the Hon'ble Supreme Court in S.L.P.No.14582 to 14634 of 2012 and the Special Leave Petitions were dismissed by the Hon'ble Supreme Court on 19.09.2012. In that view of the matter, the petitioner now sought for no objection certificate from the Housing Board by considering her representation dated 01.07.2015.

5.During the pendency of the Writ Petition, it appears that the Housing Board has received scrutiny charges from the petitioner and the matter is in progress.

6.In the light of the above, there will be a direction to the third respondent to consider the representation submitted by the petitioner dated 01.07.2015 in full and effective manner and issue no objection certificate to the petitioner, within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is disposed of on the above terms. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rpa

To

- 1 The Secretary
The State of Tamilnadu
Housing & Urban Development Department
Fort St. George, Chennai-9.
- 2 The Special Tahsildar
Land Acquisition Housing Scheme-II
Coimbatore.
- 3 The Managing Director
Tamil Nadu Housing Board
Chennai-35.

1 CC to Mr.L.Chandrakumar, Advocate SR.No. 59835

1 CC to Mr.B.Vivekvanan, Advocate SR.No. 59960

1 CC to the Government Pleader, SR.No. 60107

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VGI (CO)

PSI (24.11.2015)

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