

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.31652 of 2015

and M.P.No.1 of 2015

M/s.Arulmigu Sri Mandaveliamman Alaya
Arangavalar Kuzhu,
rep by its President M.Sankar,
S/o. Munusamy,
100 Feet Road, Ottagapalayam,
Vadapalani, Chennai - 26.

... Petitioner

-Vs-

1.The Chairman and Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Chennai - 35.

2.The Executive Engineer,
Special Division II,
Tamil Nadu Housing Board,
Ashok Nagar, K.K.Nagar Division,
Chennai - 600 083.

3.The Assistant Engineer,
Special Division II,
Tamil Nadu Housing Board,
Ashok Nagar, K.K.Nagar Division,
Chennai - 600 083.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records of the 2nd respondent in Show-Cause Notice vide Lr.No.KKNS/ 5952/94 dated 25.08.2015 and quash the same and consequential relief directing the 1st to 3rd respondents to forbear them from interfering with the peaceful possession and enjoyment of petition premises at 100 Feet Road, Ottagapalayam, Vadapalani, Chennai-26 comprised in Survey No.90 & 91 (Part), New T.S.No.1 Part, Block No.27 of Kodambakkam Village measuring an extent of vacant land 50 x 40 = 2000 sq.ft. along with temple Arulmigu Sri Mandaveliamman Office.

For Petitioner : Mr.P.Gengadaran
For Respondents : Mr.V.Anandhamoorthy

O R D E R

What is challenged in this Writ Petition is only the show cause notice. The learned counsel for the petitioner submitted that a decree has been obtained as against the respondent no.1 in O.S.No.5709 of 2005.

2.The learned counsel appearing for the Tamil Nadu Housing Board submitted that the decree mainly states that the petitioner shall not be dispossessed except under due process of law. By due process of law alone, the show cause notice was issued.

3.In view of the above, nothing survives for adjudication. The petitioner has to work out the remedy by giving a reply to the show cause notice, which they have already done on 10.09.2015.

4.Thus, the Writ Petition is disposed of by directing the respondent no.2 to conclude the proceedings, after considering the reply given by the petitioner on 10.09.2015 within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that till final orders are passed, there shall be an order of status quo as on today. All the issues are left open to be decided by the respondent no.1. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CSIII)
dt:13/10/2015

True Copy

सत्यमेव जयते

Sub-Assistant Registrar

va

To

1.The Chairman and Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Chennai - 35.

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2.The Executive Engineer,
Special Division II,
Tamil Nadu Housing Board,
Ashok Nagar, K.K.Nagar Division,
Chennai - 600 083.

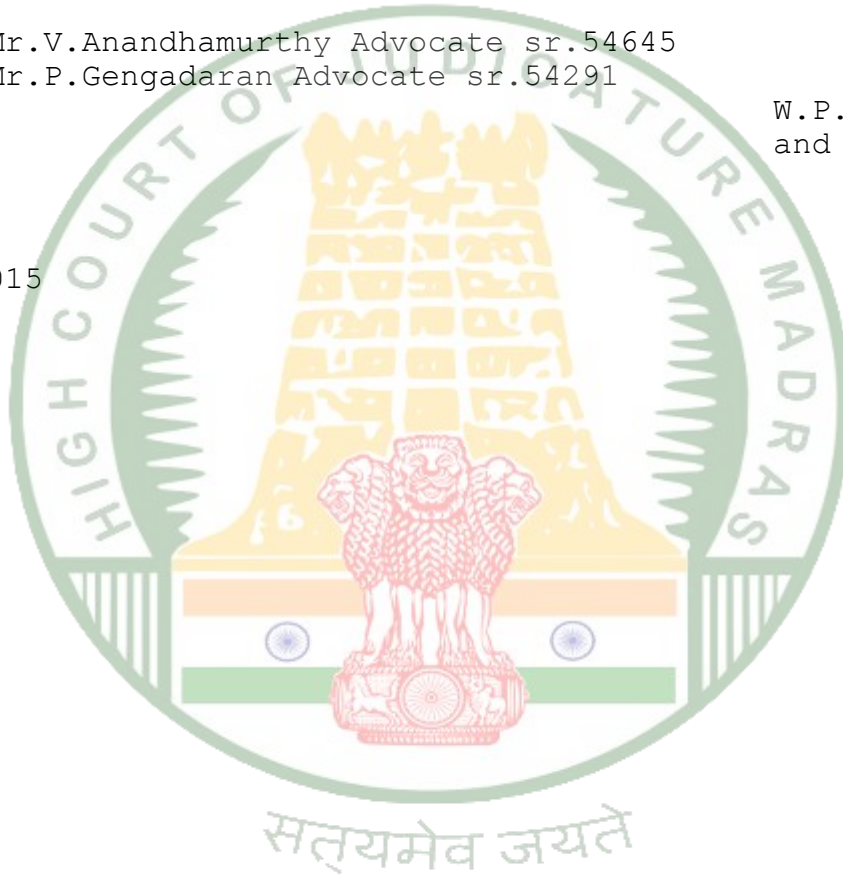
3.The Assistant Engineer,
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Chennai - 600 083.

+1 cc to Mr.V.Anandhamurthy Advocate sr.54645

+1 cc to Mr.P.Gengadaran Advocate sr.54291

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