

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20/11/2015

C O R A M

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.37107 of 2015

G. Vinoba

... Petitioner

Vs

1. The Secretary to Government
Housing & Urban Development Department
Fort St. George
Chennai 600 009.
2. The District Collector
Tiruvallur District
Tiruvallur.
3. The Managing Director
Tamil Nadu Housing Board
Nandanam
Chennai 600 035.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to consider and pass orders on the petitioner's representation dated 21/9/2015 by fixing a time limit.

For petitioners : Mr.M.S.Subramanian

For respondents : Mr.S.Diwakar
Additional Government Pleader
for R.R.1 and 2.
Mr.B.Vivekavanam
for R.3.

WEB COPY

O R D E R

With the consent of the learned counsel appearing for the parties, the main writ petition is taken up for final disposal.

2. Heard Mr.M.S.Subramanian, learned counsel for the petitioner, Mr.S.Diwakar, learned Additional Government Pleader for the respondents 1 and 2 and Mr.B.Vivekavanam for the third respondent.

3. This writ petition has been filed praying to direct the respondents to consider and pass orders on the petitioner's representation dated 21/9/2015.

4. The petitioner is approaching this Court for the second time for the same relief, which was considered earlier and ultimately, the Government has re-directed the request made by the petitioner and his family members for reconveyance of the land acquired, by passing an order dated 22/6/2007, on the ground that the land is required for development of a scheme by the Tamil Nadu Housing and Urban Development Department.

5. The petitioner's case is that after constructing two complex, the remaining extent is still remaining unutilised. Therefore, the petitioner has given another representation on 21/9/2015 and seeks for the issuance of a writ of mandamus to direct the first respondent to consider his representation.

6. The learned counsel appearing for the Housing Board submitted that already liberty has been granted to the Corporation of Chennai, which is yet within the knowledge of the petitioner, but they have not impleaded the Corporation of Chennai in the writ petition as a respondent.

7. In my view, such a prayer is not maintainable, in the light of the fact that already the request for reconveyance was rejected on 22/6/2007 and the said order has not been questioned by the petitioner or any of his family members. Hence the prayer cannot be granted.

8. With the above observation, this writ petition is disposed of. Thus, while declining to grant the relief sought for, liberty is granted to the petitioner to pursue his representation before the first respondent. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Secretary to Government
Housing & Urban Development Department
Fort St. George
Chennai 600 009.
2. The District Collector
Tiruvallur District
Tiruvallur.
3. The Managing Director
Tamil Nadu Housing Board
Nandanam
Chennai 600 035.

+1cc to Mr.B.Vivekavanam, Advocate, S.R.No.63158
+3cc's to Mr.M.S.Subramanian, Advocate, S.R.No.62898
+1cc to the Government Pleader, S.R.No.63184

W.P.No.37107 of 2015

SV(CO)
CA(27/11/2015)

WEB COPY