

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2016

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.18392 of 2016 and
W.M.P.No.16086 of 2016

Dr.S.Alwar

... Petitioner

Vs.

1.The Chairman cum Managing Director,
The Tamil Nadu Housing Board,
Nandanam, Chennai - 35.

2.The Assistant Revenue Officer,
Tamil Nadu Housing Board,
Nandanam Zonal, Chennai - 35.

3.The Executive Engineer &
Administrative Officer,
Tamil Nadu Housing Board,
Nandanam Zonal, Chennai - 35.

4.The Junior Engineer,
Tamil Nadu Housing Board,
Nandanam Zonal,
Old Tower Block, Chennai - 35.

... Respondents

Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus forbearing the respondents 1 to 4 from evicting the petitioner from the scheduled property namely the Flat 2-B, Old Tower Block, Nandanam, Chennai - 35 without following due process of law.

For Petitioner : Mr.S.Venkatesh

For Respondents: Mr.V.Anandhamurthy (TNHB)

O R D E R

By consent, the Writ Petition has been taken up for final disposal.

2.After advancing some arguments, the learned counsel appearing for the petitioner, on instructions, would submit that

the petitioner is a retired Government Servant and aged about 67 years and suffering due to Throat cancer and is taking treatment and therefore, prays for three months to vacate and deliver vacant and peaceful possession of the premises to the respondents Tamil Nadu Housing Board and undertakes to file an affidavit of undertaking in that regard.

3.The Court heard the submissions of the learned standing counsel for the respondents also.

4.In the light of the said undertaking given by the petitioner, the petitioner is granted time till 31.08.2016 to vacate and deliver vacant and peaceful possession of the premises bearing Flat 2-B, Old Tower Block, Nandanam, Chennai - 35 to the respondents and he shall also file an affidavit of undertaking on or before 09.06.2016.

5.List the matter on 09.06.2016 for filing the affidavit of undertaking.

6.Call on 06.09.2016 for reporting compliance. Till such time, the petitioner continues to pay the rent without any default and also shall maintain the premises in good and habitable condition.

7.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Chairman cum Managing Director,
The Tamil Nadu Housing Board,
Nandanam, Chennai - 35.

2.The Assistant Revenue Officer,
Tamil Nadu Housing Board,
Nandanam Zonal, Chennai - 35.

3.The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
Nandanam Zonal, Chennai - 35.

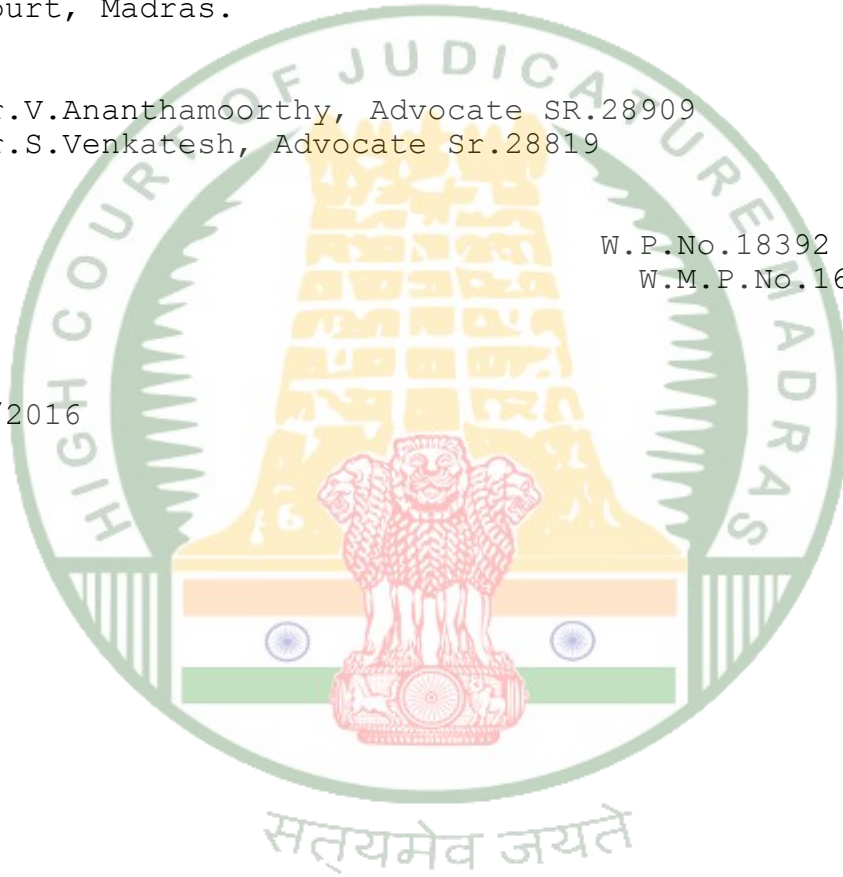
4.The Junior Engineer,
Tamil Nadu Housing Board,
Nandanam Zonal,
Old Tower Block, Chennai - 35.

5.The Section Officer,
Writ Section,
High Court, Madras.

+1cc to Mr.V.Ananthamoorthy, Advocate SR.28909
+1cc to Mr.S.Venkatesh, Advocate Sr.28819

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