

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.18591 of 2014

M.Karnan

... Petitioner

Vs.

The State of Tamil Nadu
rep by its Secretary
Tamil Nadu Housing Board.

2.The Chairman,
Tamil Nadu Housing Board,
Nanthanam,
Chennai-35.

3.The Executive Engineer & Admin Officer
Anna Nagar Division,
Tamil Nadu Housing Board,
Chennai-1.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 29.05.2014.

For Petitioner : M/s.Vincent and Vincent.

For respondents: Mr.V.Jayaprakash Narayanan,
Spl.GP for R1.
Mr.Anandamurthy,
standing counsel for TNHB for R2 & R3.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come forward with the present Writ Petition seeking for issuance of Mandamus to direct the respondents to consider the representation of the petitioner dated 29.05.2014.

3.The case of the petitioner is that on 13.08.2002, a plot No.4/94, EWS A Type, Manali Division-II was allotted to the petitioner in GO.No.C3/MN II 243/02. The petitioner completed all the formalities of the Board and duly paid the total sale consideration, in turn the third respondent executed a sale deed in favour of the petitioner on 11.01.2007 and the same was registered in the office of SRO, Thiruvottiyur in Document No.287/2007. After receiving the document, the petitioner found that the measurement mentioned as per the sale deed is 576sq.ft and the extent of the plot allotted was only 432 sq.ft. Thereafter, the petitioner approached the second respondent and submitted a detailed representation dated 29.05.2014 to the third respondent, but the same was not considered, hence, the petitioner filed the present writ petition.

4.Heard the submissions of learned counsel appearing for the petitioner and the learned standing counsel who accepts notice on behalf of the respondents.

5.Considering the facts and circumstances and without going into the merits of the same, this Court directs the petitioner to submit fresh detailed representation alongwith the copy of this order before the second respondent, within two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to consider the representation of the petitioner, on merits and in accordance with law, within a period of eight weeks, thereon, after affording opportunity of personal hearing to the petitioner as well as to other necessary parties, if any. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner.

6.The writ petition is disposed of accordingly. No costs.

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सत्यमेव जयते

Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary, State of Tamil Nadu,
Tamil Nadu Housing Board.

2.The Chairman,
Tamil Nadu Housing Board,
Nanthanam,
Chennai-35.

3.The Executive Engineer & Admin Officer
Anna Nagar Division,
Tamil Nadu Housing Board,
Chennai-1.

+ 1 cc to MR.V. Anandhamoorthy, Advocate Sr.20350
+ 1 cc to Mr.Vincent, Advocate Sr.2039720397
+ 1 cc to Mr.Government Pleader Sr.20514

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SV(CO)
Eu 27.4.16



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