

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2016

CORAM:

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.2303 of 2016

A.Sampath Raja

...Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. By its Secretary to Government,
Housing and Urban Development
Department, Chennai 600 009.
 2. The Tamil Nadu Housing Board,
rep. By its Chairman and
Managing Director,
Chennai 600 035.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 16.12.2015 and comply with the order of this Court passed in W.P.No.2891 of 1991 dated 01.12.1998, as directed by this Court.

For Petitioner : Mr.K.R.Gunashekar

For Respondents : Mr.V.Anandhamoorthy

O R D E R

An extent of 1170 sq. ft. in Plot No.206 was allotted to the petitioner as per Government Order in G.O.Ms.No.2035, dated 31.12.1987. On the alleged non-compliance of the petitioner, the allotment was cancelled.

2. The petitioner filed a Writ Petition before this Court in W.P.No.2891 of 1991 and by an order dated 01.12.1998, the cancellation order was set aside and the matter was remitted back to the 1st respondent for fresh consideration.

3. The petitioner was informed by the officials of the 2nd respondent that a plot was allotted to him as per the order of this Court. Awaiting approval from the Government, the petitioner was thereafter asked to appear before the 2nd respondent. Though the petitioner has appeared on that date,

there was no further progress. Thereafter, a letter was sent on 05.08.2015 by the Manager (Sales cum Service), Anna Nagar Division, Tamil Nadu Housing Board, Thirumangalam, Chennai stating that the price fixation will have to be done.

4. Under such circumstances, the petitioner made a representation seeking allotment of Plot No.206. As the said representation is yet to be considered, the present Writ Petition is filed.

5. Learned counsel appearing for the 2nd respondent submitted that the matter has to be considered by the Costs Fixation Committee and thereafter, based upon their view, a final decision will have to be taken by the Board. Therefore, it is submitted that three months' time would be required for completing the above said process.

6. Accordingly, this Writ Petition is disposed of by directing the Costs Fixation Committee to take a final decision pertaining to the petitioner on the fixation of costs within a period of three months from the date of receipt of a copy of this order. No costs.

aeb

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To :

1. The Secretary to Government,
Government of Tamil Nadu,
Housing and Urban Development
Department, Chennai 600 009.
2. The Chairman and Managing Director,
Tamil Nadu Housing Board,
Chennai 600 035.

+ 1 cc to M/s.V.Anandhamurthy, Advocate SR 5589

+ 1 cc to M/s.K.R.Gunasekaran, Advocate SR 4980

sai(co)
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