

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2016

CORAM

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

W.P.No.7588 of 2016
and W.M.P.No.6821 of 2016

K.Dharaniperumal

... Petitioner

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai - 600 009,
2. The Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai - 600 035.
3. The Executive Engineer/
Administrative Officer,
Salem Housing Unit,
Salem - 8.

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to forbear the 3rd respondent from conducting lot for allotment plots to be held on 1.3.2016 in so far relates to the petitioner's land situated in S.Nos.203/2, 203/3, 203/4 and 203/6, Narasingapuram village, Attur Taluk, Salem District to the extent of 3.74 Acres.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.R.M.Muthukumar, Addl.Govt.Pleader
for RR.1 and 2
Mr.R.V.Babu for R.3

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O R D E R

The petitioner had earlier filed a writ petition before this Court in w.P.No.3307 of 2016 for a direction to the respondent - Tamil Nadu Housing Board to re-convey his land situated in S.Nos.203/2, 203/3, 203/4 and 203/6, Narasingapuram village, Attur Taluk, Salem District on the ground that the land acquisition proceedings have lapsed in terms of Section 24(2) of the Right of Fair Compensation and Transparency in Land

Acquisition, Rehabilitation and Resettlement Act, 2013. This Court by Order dated 29.1.2016 dismissed the said writ petition.

2. It is submitted by the learned counsel for petitioner that as against the said order dated 29.1.2016, the petitioner has filed writ appeal in W.A.SR.No.16215 of 2016 and the matter is likely to be listed before the Honourable Division Bench during the course of this week and the present writ petition is virtually seeks for a consequential relief as sought for in W.P.No.3307 of 2016.

3. Since the earlier writ petition in W.P.No.3307 of 2016 filed by the petitioner has been dismissed by this Court, unless and until the petitioner succeeds in the writ appeal filed in W.A.SR.No.16215 of 2016, the prayer sought for in this writ petition cannot be granted.

4. Therefore, the writ petition is disposed of, leaving it open to the petitioner to agitate his grievance in the writ appeal said to have been filed against the order in W.P.No.3307 of 2016 and any proceedings or lot, which has been conducted by the respondents, would abide by the orders to be passed by the Hon'ble Division Bench of this Court in the writ appeal filed in W.A.SR.No.16215 of 2016. No costs. Consequently, the connected miscellaneous petition is closed.
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s/d-
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009,
2. The Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam, Chennai - 600 035.
3. The Executive Engineer/
Administrative Officer,
Salem Housing Unit, Salem - 8.

+ 1 cc to Mr.C.Prakasam, Advocate, SR 18148
+ 1 cc to Mr.R.V.Babu, Advocate, SR 18038
+ 1 cc to Govt.Pleader, High Court, Madras SR 18020
ak(co)
prk31/3

W.P.No.7588 of 2016