



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.19535 of 2016

and

W.M.P(MD)N0.14089 of 2016

Chandra Middle School,
Represented by the Secretary,
Mrs.Muthulakshmi

... Petitioner

Vs.

1.The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.The Chairman and Managing Director,
Tamil Nadu Housing Board,
493, Anna Salai, Nanthanam, Chennai - 600 035.

3.The Executive Engineer
& Administrative Officer, Madurai Housing Unit,
Ellis Nagar, Madurai - 625 016.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the third respondent in No.M.H.7/NS Sec,VI/2001, dated 14.09.2016, quash the same.

For Petitioner : Mr.E.V.N.Siva

For R-1 : Mr.J.Gunaseelan Muthaiah,
Government Advocate

For R-2 & R-3 : Mr.M.Saravanan for
Mr.S.Nagaraj

ORDER

The petitioner has filed this Writ Petition challenging the proceedings issued by the third respondent in No.M.H.7/NS Sec,VI/2001, dated 14.09.2016, directing the petitioner school to vacate the premises.

2. According to the petitioner, against the order dated 25.03.2010 cancelling the allotment and the consequential order passed by the third respondent, dated 14.09.2016, the petitioner



has filed a statutory appeal under Section 87 of the Tamil Nadu Housing Board Act before the first respondent on 28.09.2016 and the same is still pending. Without considering the same, now the third respondent is taking steps to evict the petitioner.

3. In the above circumstances, the first respondent is directed to dispose of the appeal filed by the petitioner, on merits and in accordance with law, after giving opportunity of hearing to all the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order. Till the appeal is disposed of, the respondents should not take any steps to evict the petitioner.

4. The learned counsel for the petitioner submits that copy of the order cancelling the allotment, has not been served on the petitioner. For that, the learned counsel appearing for the respondents- 2 & 3 fairly submits that he will furnish a copy of that order today itself.

5. Recording the said submissions, this Writ Petition is disposed of with the above directions. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
2. The Chairman and Managing Director,
Tamil Nadu Housing Board,
493, Anna Salai, Nanthanam, Chennai - 600 035.
3. The Executive Engineer & Administrative Officer,
Madurai Housing Unit, Ellis Nagar, Madurai - 625 016.

+1 CC to M/s.E.V.N.SIVA, Advocate, SR No.60301
+1 CC to M/s.S.NAGARAJAN, Advocate, SR No.60624
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.60547

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