

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.8236 of 2017
and W.M.P.Nos.8987 & 8988 of 2017

N.Subramaniam

..Petitioner

Vs.

1.State of Tamil Nadu
rep by its Principal
Secretary to Government,
Housing and Urban Development
Department,
Secretariat, Chennai - 600 009.

2.The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

..Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to dispose of the stay petition filed along with the appeal dated 25.02.2017 preferred by the petitioner against the proceedings of the 2nd respondent in letter No.N.T.R7/2637/2016 dated 03.02.2017 and till such time directing the 2nd respondent to raise the seal and to open the lock of the Garage No.35, Lloyds Colony, Chennai.

For Petitioner : Mr.S.Doraisamy

For Respondents: Mr.K.Venkatramani,
Additional Advocate General
assisted by Mr.S.Navaneethan,
Additional Government Pleader (R1)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 1st respondent to dispose of the stay petition filed along with the appeal dated 25.02.2017 preferred by the petitioner against the proceedings of the 2nd respondent in letter dated 03.02.2017 and till such time directing the 2nd respondent to raise the seal and to open the lock of the Garage No.35, Lloyds Colony, Chennai.

2.It is the case of the petitioner that he is an Allottee of the premises No.35, Llyods Colony, Chennai, by the proceedings of the Revenue Officer of the respondents. The 2nd respondent ordered eviction of the petitioner from the premises. As against the order passed by the 2nd respondent, the petitioner preferred an appeal before the 1st respondent on 25.02.2017. Along with the appeal, the petitioner also filed a stay petition to stay the order passed by the 2nd respondent till the disposal of the appeal.

3.Mr.K.Venkatramani, learned Additional Advocate General appearing for the 1st respondent, submitted that the 1st respondent may be directed to dispose of the main appeal itself within a period of two weeks in accordance with law, instead of giving a direction to the 1st respondent to dispose of the stay petition.

4.Having regard to the submissions made by the learned counsel for petitioner and the learned Additional Advocate General appearing for the 1st respondent, I am of the view that the 1st respondent may be directed to dispose of the appeal within a time frame and till such time, the respondents can be restrained from evicting the petitioner from the premises. Accordingly, I direct the 1st respondent to dispose of the appeal dated 25.02.2017, on merits and in accordance with law, within a period of two weeks from the date of receipt of the copy of this order. Till the disposal of the appeal, the respondents are restrained from evicting the petitioner from the premises.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

va/sai

To

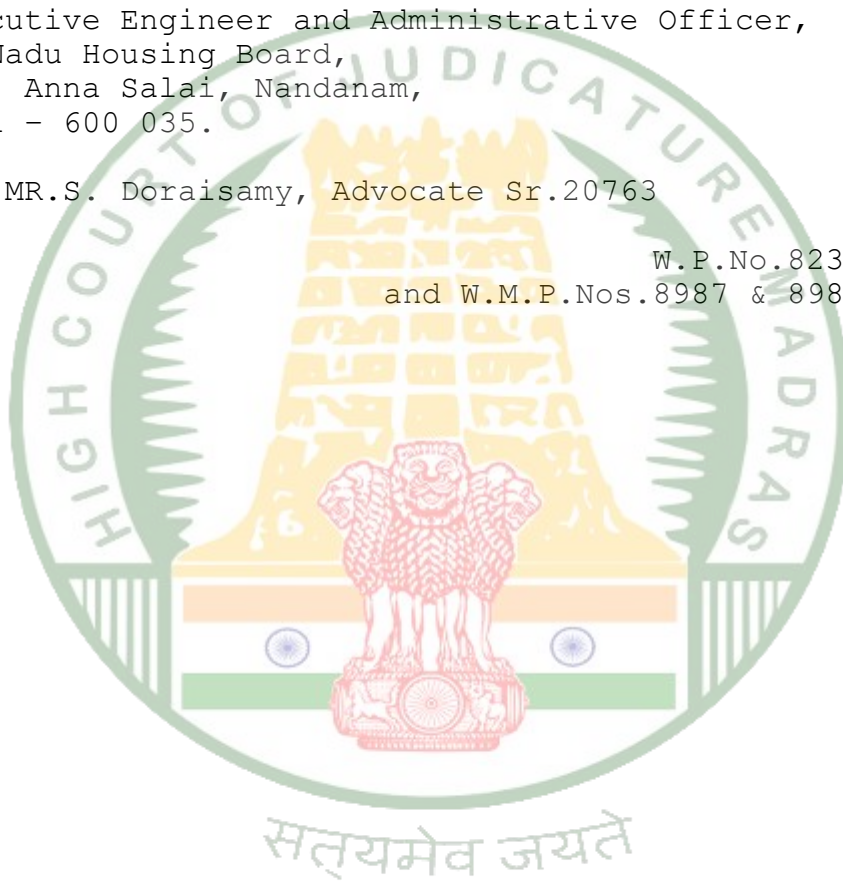
1.The Principal Secretary to Government,
State of Tamil Nadu
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.

2.The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

+ 1 cc to MR.S. Doraisamy, Advocate Sr.20763

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SSI (CO)
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