

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.Nos.8387 & 8388 of 2017

Chotima Ibrahim Sherif ... Petitioner in W.P.8387/2017

S.Saravanan ... Petitioner in W.P.8388/2017
Vs.

1.The Chairman,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

2.The Deputy Secretary (Revenue),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

3.The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
485, MTB Building,
Anna Salai, Nandanam, Chennai - 600 035.
... Respondents in both W.Ps

Petitions filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to reopen the seal put by the respondents in the flat situated at Block RJ No.1 and Block RJ No.7, Tamil Nadu Housing Board, Lloyds Colony, Royapettah, Chennai - 600 014 and permit the petitioner to reside in the above said address for the further period of three months for enabling the petitioner to vacate and deliver vacant possession of the said flat to the respondents herein.

For Petitioners : Mr.N.Velmurugan

For Respondents : Mr.V.Anandamoorthy
(in both W.Ps)

C O M M O N O R D E R

The petitioners have filed the above Writ Petitions to issue a writ of mandamus directing the respondents to reopen the seal put by the respondents in the flat situated at Block RJ No.1 and Block RJ No.7, Tamil Nadu

Housing Board, Lloyds Colony, Royapettah, Chennai - 600 014 and permit the petitioners to reside in the above said address for the further period of three months for enabling the petitioners to vacate and deliver vacant possession of the said flat to the respondents herein.

2.It is the case of the petitioner in W.P.No.8387 of 2017 that her husband was the original Allottee of Block RJ No.1, Tamil Nadu Housing Board, Lloyds Colony, Royapettah, Chennai - 600 014 and the case of the petitioner in W.P.No.8388 of 2017 is that his father was the original Allottee of Block RJ No.7, Tamil Nadu Housing Board, Lloyds Colony, Royapettah, Chennai - 600 014 by the proceedings of the Revenue Officer of the respondents. The 2nd respondent ordered eviction of the petitioners from the premises.

3.The learned counsel appearing for the petitioners submitted that the petitioners may be given a week's time to file appeals as against the order passed by the 2nd respondent.

4.It is brought to the notice of this Court that the respondents had sealed the premises on 04.04.2017.

5.In view of the same, the respondents are directed to remove the seal.

6.Having regard to the submissions made by the learned counsel on either side, I give liberty to the petitioners to file appeals before the Principal Secretary to Government, Housing and Urban Development Department, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the Principal Secretary to Government, Housing and Urban Development Department is directed to dispose of the appeals, on merits and in accordance with law, within a period of three weeks thereafter and till the disposal of the appeals, the respondents are restrained from evicting the petitioners from the premises.

7.With these observations, the Writ Petitions are disposed of. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

1.The Chairman,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

2.The Deputy Secretary (Revenue),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

3.The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
485, MTB Building,
Anna Salai, Nandanam, Chennai - 600 035.

+2cc to Mr.Velmurugan,Advocate sr.24273 & 24274

W.P.Nos.8387 & 8388 of 2017

mg(co)
ss(21/4/2017)



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