

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2017

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.Nos.27035 and 27036 of 2017

and

W.M.P.Nos.28860 and 28861 of 2017

C.Gurulingam ..Petitioner (in both W.Ps.)

Vs.

1. State of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban
Development Department,
Secretariat, Chennai -9.

2. The Managing Director,
Tamilnadu Housing Board,
Nandanam,
Chennai -35.

.. Respondents (in both W.Ps.)

Prayer in both W.Ps.: Petitions have been filed under Article 226 of the Constitution of India, issue a Writ of Certiorari, to call for the records of the first respondent in letter Nos.7977/LA3(1)/2017-4 and 7978/LA3(1)/2017-4, dated 06.10.2017 and quash the same.

For Petitioner : Mr.Parthasarathy
Senior Counsel for
Mr.R.Raja Ramani

For Respondents

For R1 : Mr.P.Senthilvel
Government Advocate

For R2 : Mr.V.Anandhamurthy,
Senior Counsel
Tamilnadu Housing Board.

COMMON ORDER

These writ petitions have been filed to call for the first respondent in letter in Nos.7977/LA3(1)/2017-4 and 7978/LA3(1)/2017-4, dated 06.10.2017 and quash the same.

2. Single person quarters was occupied by the petitioner though he is not the original allottee. Admittedly, he is running an Advocate Office in the said quarters. Earlier attempt made by the Housing Board putting a lock over the said premises was prevented due to the intervention of this Court. Now by impugned order his appeal has been dismissed by the first respondent, directing him to vacate the premises.

3. It is represented by the learned counsel for the petitioner that till date, the petitioner has paid all the rent and there is no arrears of rent. It is submit that if three months time is granted, the petitioner would vacate the premises. Hence, the impugned order rejecting his appeal may be kept in abeyance for three months.

4. Mr.V.Anandhamurthy, learned counsel takes notice for the Tamilnadu Housing Board and submits that the impugned order will be kept in abeyance provided the petitioner give an undertaking that he would vacate the premises within three months on payment of rent for the said three months.

5. In the result, the impugned order dated 06.10.2017 passed by the Secretary to Government in letter Nos. 7977/LA3(1)/2017-4 and 7978/LA3(1)/2017-4, shall be kept in abeyance till 31.01.2018, on condition that the petitioner should file affidavit of undertaking before the Registry within a period of one week from today i.e., 20.10.2017.

6. With the above observation, the writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Deputy Registrar

/true copy/

Sub Asst. Registrar

vv

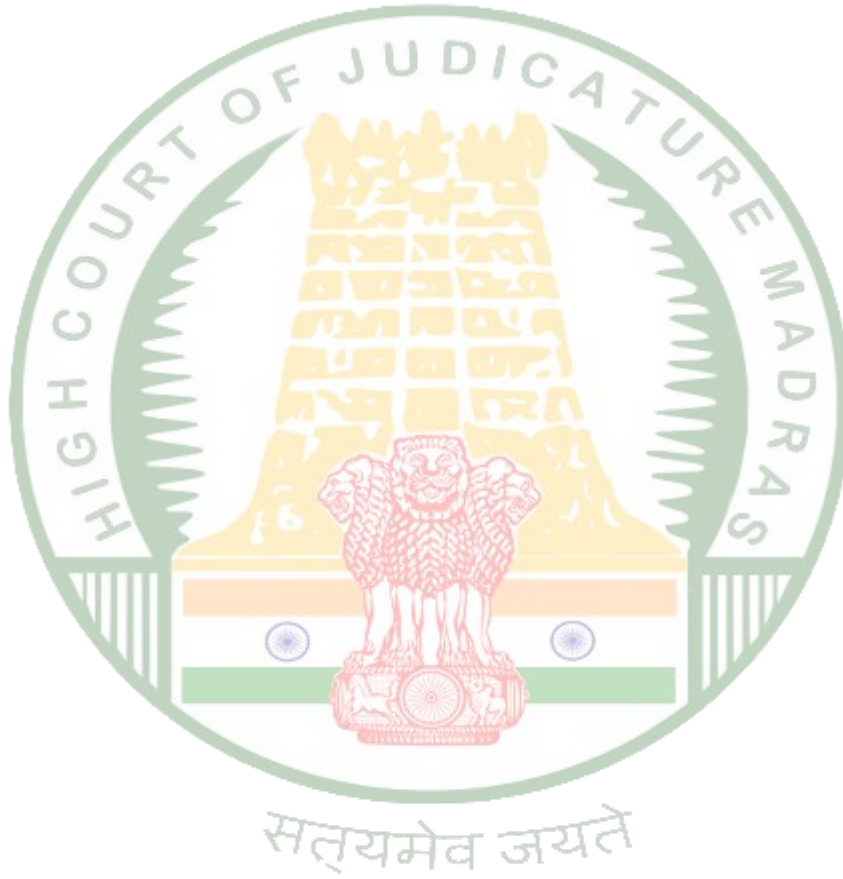
To

1. The Secretary,
State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai -9.

2. The Managing Director,
Tamilnadu Housing Board,
Nandanam,
Chennai -35.

W.P.Nos.27035 and 27036 of 2017
and
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LRS (CO)
NR 20/11/2017



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