

IN THE HIGHCOURT OF JUDICATURE AT MADRAS

DATED:23.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.No.2100 of 2012
and M.P.Nos.1 of 2012 and 1 of 2015

L.VALARMATHI

[PETITIONER]

Vs

1 THE STATE OF TAMIL NADU
REP. BY THE SECRETARY OF GOVERNMENT
DEPARTMENT OF HOUSING FORT ST. GEORGE
CHENNAI-9.

2 THE TAMIL NADU HOUSING BOARD
REP. BY THE CHAIRMAN AND MEMBER SECRETARY
TAMIL NADU HOUSING BOARD CHENNAI-35.

3 THE EXECUTIVE ENGINEER
TAMIL NADU HOUSING BOARD BESANT NAGAR
DIVISION NO.1 DR.MUTHULAKSHMI SALAI
CHENNAI-20.

[RESPONDENTS]

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 2nd and 3rd Respondents to consider the Petitioner representation made in the year 1994 and the subsequent representations including one dated 2.9.2011 relating to the allotment of the plot situated in Old Door No.154 New Door No.3 7th Avenue Besant Nagar Chennai-90 and pass orders within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Mahimairaj

For Respondents : Mr.S.Gunasekaran, AGP (R1)
Mr.V.Yuvakumar (R2&3)

O R D E R

Mr.S.Mahimai Raj, learned counsel is present on behalf of the writ petitioner. Mr.Gunasekaran, learned Additional Government Pleader is present on behalf of the 1st respondent and Mr.Yuvakumar, learned counsel is present on behalf of the respondents 2 and 3.

2. By consent of all the three counsel, the main writ petition itself is taken up for disposal.

3. Matter pertains to 6 cents of land in Besant Nagar.

4. There was acquisition of large extents of land by Tamil Nadu Housing Board for development in Besant Nagar. At that point of time, the 6 cents of land in occupation of the writ petitioner at Old Door No.154 New Door No.3, 7th Avenue, Besant Nagar, Chennai-90, was left out and she continues to be in occupation of the same.

5. It is the say of the writ petitioner that she constructed a house and she is living there. It is stated that she is a single woman.

6. Per contra, learned counsel for the Tamil Nadu Housing Board would say that besides living, she has constructed shops and let out the same.

7. I am not inclined to go into the merits of the matter and expressing any opinion, owing to the very restricted prayer that the writ petitioner has made.

8. The prayer of the writ petitioner is to mandamus the 2nd and 3rd respondents to consider and pass orders on her representation made in the year 1994 and subsequent representations including one dated 02.09.2011, relating to allotment of the above said plot to her.

9. The representation dated 02.09.2011 is now available and a copy of the same has been filed in the typed set of papers at page No.140.

10. The respondents 2 and 3 are directed to dispose of the above said representation of the petitioner dated 02.09.2011, within a period of four weeks from the date of receipt of a copy of this order, in a manner known to law, after affording adequate opportunity to the writ petitioner and any other person concerned.

11. The out come/disposal of the said representation shall be communicated to the writ petitioner, within a week from the date of disposal of the said representation.

12. Writ petition is disposed of with the above directions. No costs. In view of the order passed in the main writ petition, the miscellaneous petitions are closed as unnecessary.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1 THE SECRETARY OF GOVERNMENT
THE STATE OF TAMIL NADU
DEPARTMENT OF HOUSING FORT ST. GEORGE
CHENNAI-9.
- 2 THE CHAIRMAN AND MEMBER SECRETARY
THE TAMIL NADU HOUSING BOARD
TAMIL NADU HOUSING BOARD CHENNAI-35.
- 3 THE EXECUTIVE ENGINEER
TAMIL NADU HOUSING BOARD BESANT NAGAR
DIVISION NO.1 DR.MUTHULAKSHMI SALAI
CHENNAI-20.

+1cc to Mr.V.MahimaiRaj, Advocate Sr.11601
+1cc to Mr.V.Yuvakumar, Advocate Sr.11527

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kk[co]
srg 9/3/2017