



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2017

CORAM:

THE HON'BLE Mr.JUSTICE R.MAHADEVAN

W.P(MD)No.21313 of 2017

A.Mohamed Faaizeen

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai.

2. The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
Kajamalai Colony,
Thiruchirapalli Housing Unit,
Thiruchirapalli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to allot the commercial site to the petitioner in Periyar Nagar, Pudukottai, by considering the petitioner's representation dated 14.08.2017 and 16.10.2017, in light of the order made by this Court in W.A.No.1140 of 2008 dated 30.04.2010 and the resolution of the first respondent board, in Resolution No.9.03 dated 12.07.2013, within the time that may be stipulated by this Court.

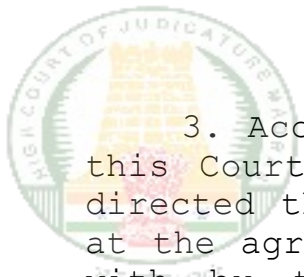
For Petitioner : Mr.E.Mareeskumar for
M/s. Ajmal Associates

For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate.

O R D E R

By consent, this writ petition is taken up for final disposal, at the stage of admission itself.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes
<https://hcservices.ecourts.gov.in/hcservices/>
notice for the respondents.



3. According to the petitioner, despite the Division Bench of this Court in W.A.Nos.1139 & 1140 of 2008 dated 30.04.2010, had directed the authorities to allot the vacant plots in his favour, at the agreed rates, within two months, the same was not complied with by the authorities and that too, even after the first respondent board has passed a Resolution No.9.03 dated 12.07.2013, agreeing to allot certain lands in his favour. Aggrieved thereby, the petitioner has preferred several representations and as the same are kept pending, without any action, the petitioner is before this Court.

4. A perusal of the typed set of papers would show that this Court, in W.A.Nos.1139 & 1140 of 2008, after considering all the facts and circumstances, had passed a detailed judgment dated 30.04.2010 and the operative portion is extracted as under:

"10.Coming to the relief portion, we are informed that there are still some plots available for allotment. If that be so, the respondents are directed to allot the plots in consultation with the appellants, of course, as per the rates in respect of the plots sold by the Tamil Nadu Housing Board under the same scheme..."

5. Moreover, the Tamil Nadu Housing Board has passed a resolution in Resolution No.9.03 agreeing to allot certain lands in favour of the petitioner, as early as on 12.07.2013. Such being the case, the inaction on the part of the authorities constrained the petitioner to submit several representations, which had also failed to meet its fate and hence, he is before this Court.

6. In view of the above, this Court is inclined to direct the respondents to consider the representation of the petitioner dated 16.10.2017 and pass appropriate orders, in line with the order of the Division Bench of this Court in W.A.Nos.1139 & 1140 of 2008 dated 30.04.2010, after affording due opportunity of hearing to the petitioner and all the other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar



To

1. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai.

2. The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
Kajamalai Colony,
Thiruchirapalli Housing Unit,
Thiruchirapalli.

+1cc to M/s. Ajmal Associates, Sr.No.88260

+1cc to Spl.Government Pleader Sr.No.88515

GK

VB/GT/SAR3/05/12/2017/3P/5C

W.P. (MD) No.21313 of 2017
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