



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.23726 of 2017

Lakshmi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Housing Board,
Nandhanam,
Chennai.

2.The Executive Engineer / Administrative Officer,
Tamil Nadu Housing Board,
Ellish Nagar,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 10.10.2017 for hand over the above land or issue a compensation in the present market value.

For Petitioner : Mr.M.Sheik Abdullah

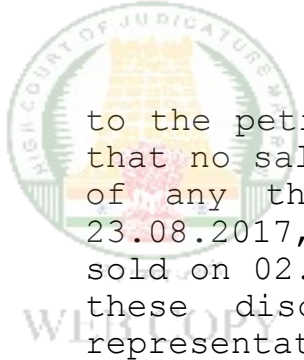
For Respondents : Mr.M.Alagathevan,
Special Government Pleader

O R D E R

By consent, this writ petition itself is taken up for final disposal.

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents.

3. According to the petitioner, the subject mentioned property belongs to her late father, one Pitchaikonar and the same was acquired by the Tamil Nadu Housing Board in the year 1982. Despite the order of the lower Court in L.A.O.P.No.109/1988 dated 02.05.1991, directing the respondents to deposit the compensation amount, at the rate of Rs.1000/- per cent, the respondents, as on date, according to the petitioner, had not deposited even a single pie, towards compensation. In support of her contention, the learned Counsel for the petitioner submitted copies of the replies provided by the authorities, under the RTI Act, dated 09.07.2010 & 11.12.2012, wherein, it is averred that "no compensation was awarded



to the petitioner, as per the Court order" and it is further stated that no sale was executed in respect of the said property, in favour of any third persons. Whereas, in an another RTI reply dated 23.08.2017, the petitioner was informed that the said property was sold on 02.12.2005, to one Gurusamy, by way of auction. Aggrieved by these discrepancies, the petitioner has submitted a detailed representation dated 10.10.2017, before the respondents, requesting them either to award compensation or to hand over the land back to them. As the same is kept pending, without any action, she is before this Court.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 10.10.2017 is disposed of, by the respondents, on merits.

5. Considering the facts and circumstances of case and also the limited scope of the prayer sought for, this Court, without going into the merits of the claim, directs the respondents to consider the representation of the petitioner dated 10.10.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub-Assistant Registrar

To

1. The Managing Director,
Tamil Nadu Housing Board,
Nandhanam,
Chennai.

2. The Executive Engineer / Administrative Officer,
Tamil Nadu Housing Board,
Ellish Nagar, Madurai.

+One cc to The Special Government Pleader, SR.No.94771

+One cc to M/s.M.Sheik Abdullah, Advocate, SR.No.94115

gk

RL/5C/2P/KK/SAR1/9/1/2018

W.P (MD) No.23726 of 2017