

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.3444 of 2017

K.Seetharaman

... Petitioner

Vs.

The Chairman, Tamil Nadu Housing Board
Nandanam, Chennai - 600 018.

.... Respondent

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent consider the representation of the Petitioner dated 30.01.2017.

For Petitioner:Mr.S.Udayakumar For M/s.Karan and Uday

For Respondent:Mr.R.V.Babu

ORDER

The relief sought in this Writ Petition is for a direction to direct the Respondent to consider the representation dated 30.01.2017 submitted by the Writ Petitioner.

2.The grievances of the Writ Petitioner is that his land acquired by the Government was handed over to the Tamil Nadu Housing Board. Thereafter, the original owners including the Writ Petitioner had submitted an application for re-conveyance of the lands in accordance with provisions of the Land Acquisition Act, 1984.

3.The learned counsel for the Respondent states that the other similarly placed owners filed W.P. Nos.44492 to 44496 of 2006 etc. batch and this Court passed an order dated 15.10.2014 and allowed the Writ Petitions, against the said order the Tamil Nadu Housing Board preferred an appeal in W.A.No.1415 of 2017 and an interim order of stay was granted by the Hon'ble Division Bench of this Court and the same is also pending.

4.As far as the present Writ Petition on hand is concerned, the very relief sought for is to issue No objection Certificate by the Tamil Nadu Housing Board. However, now the matter is sub-judice before the Hon'ble Division Bench of this Court. Therefore, the representation dated 30.01.2017 submitted by the Writ Petitioner cannot be dealt with by the Tamil Nadu Housing Board and cannot pass any order in the representation at present, in view of the fact that the said Writ Appeal is pending. This apart, the re-conveyance of the land can be done only by the order of the Government after the disposal of the litigation now pending before this Court.

5.This being the factum of the case, the relief sought for in this writ petition as such cannot be granted. If at all any relief is granted in the pending litigation, it is left open to the Writ Petitioner to agitate the same in the manner known to law. Accordingly, this Writ Petition stands dismissed. However, there is no order as to costs.

Sd/-

Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

may a

To

The Chairman
Tamil Nadu Housing Board
Nandanam
Chennai - 600 018.

+1cc to Mr.R.V.BAbu, Advocate, sr.no.59252

PVS (CO)
RMP (27/09/2018)

W.P.No.3444 of 2017

WEB COPY