

552IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.720 of 2011

G.Karunakaran

Petitioner

Vs

1.The Tamil Nadu Housing Board by its
Chairman and Managing Director, Chennai-35

2.The Assistant Secretary, Allotment Unit
Tamil Nadu Housing Board, Chennai-35

3.The Executive Engineer and Administrative Officer
Salem Housing Unit, Tamil Nadu Housing Board
Salem 636 008

4.Sooriyan

5.Balachandran, Executive Engineer and
Administrative Officer, Salem Housing Unit
Tamil Nadu Housing Board, Salem 636 008.

Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Declaration, declaring the auction sale held in favour of the 4th Respondent in respect of School site No.21 to an extent of 13066 sq.ft. situated at Mohanoor Road, Phase III, Namakkal, pursuant to the auction sale held on 06.01.2011 as null and void and unenforceable in law.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.V.Anandhamoorthy,
Standing Counsel
(RR1 to 3)

ORDER

The prayer in this Writ Petition is to declare that the auction sale held in favour of the 4th Respondent in respect of School site No.21 to an extent of 13066 sq.ft. situated at Mohanoor Road, Phase III, Namakkal, pursuant to the auction sale held on 06.01.2011 is null and void and unenforceable in law.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The learned standing counsel for the Respondent Board has submitted that due to filing of this Writ Petition, the auction sale of the School site No.21 to an extent of 13066 sq.ft. situated at Mohanoor Road, Phase III, Namakkal itself was cancelled and it is for the Petitioner to participate in the auction as and when the Respondent Board conducts the auction of the said School site in future and presently, the said site is vacant. The learned standing counsel has also produced a letter, dated 19.11.2018, sent by the Executive Engineer and Administrative Officer, Salem Housing Unit, Tamil Nadu Housing Board, Salem-8, stating the said facts.

4. In the light of said letter dated, 19.11.2018, recording the submissions of the learned standing counsel for the Respondent Board and the said letter, this Writ Petition is dismissed. No costs. Consequently, the connected MP is closed.

Sd/-

Assistant Registrar(CS -IV)

//True Copy//

Sub Assistant Registrar

Srcm

To

1. The Chairman and Managing Director,
Tamilnadu Housing Board, Chennai-35
2. The Assistant Secretary, Allotment Unit,
Tamilnadu Housing Board, Chennai-35
3. The Executive Engineer and Administrative Officer,
Salem Housing Unit,
Tamilnadu Housing Board, Ayyan Thirumaligai Road,
Salem - 636 008

+1 cc to Mr.R.Bharathkumar, Advocate, SR No.81264

+1 cc to Mr.V.Anandhamurthy, Advocate, SR No.81527

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ss(co)

ssm(21/12/2018)