

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2018

CORAM:

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.1743 of 2018
and
C.M.P.No.13946 of 2018

1. P.Ramakrishnan
 2. C.Murali
 3. M.Rajendran
 4. R.Nagammal
 5. T.Premalatha
- ... Appellants

.. Vs ..

1. Government of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Secretariat,
Chennai - 600 009.
2. Tamil Nadu Housing Board,
Rep. by its Chairman,
Nandanam,
Chennai - 600 035.
3. The District Collector,
Coimbatore District,
Coimbatore.
4. The Executive Engineer-cum-Administrative Officer,
TNHB - Coimbatore Housing Unit,
Tatabad,
Coimbatore - 641 012.
Tamil Nadu.
5. K.Krishnaveni
6. R.Sivakumar
7. D.Kavitha
8. C.P.Murugesan
9. T.Valarmathi
10. D.Ravi
11. S.Meenakshi

12. S.Padmini
13. P.Muthu Mohan Raj
14. D.Prince
15. P.S.Mahalakshmi
16. N.Anitha
17. S.Easwari
18. R.Revathi Rani
19. S.Sreedevi
20. L.Felix
21. R.Nagalakshmi

... Respondents

Prayer: Writ Appeal filed under Clause 15 of The Letters Patent, against the order dated 20.07.2018 passed by this Court in W.P.No.14421 of 2013.

W.P.14421/2013: This writ Petition filed under Article 226 of the constitution of India to issue a Writ of declaring that G.O.(MS) No.279 dated 1.12.2010 issued by the 1st respondent herein read with the Public Notice dated 28.3.2013 issued by the 4th respondent is illegal and unconstitutional to the extent they direct eviction from and demolition of the TNHB quarters occupied by the petitioners at Gandhipuram Coimbatore and consequently direct the respondents not to evict the petitioners without providing equal alternative accommodation.

For Appellants : Mr.G.Sankaran

For RR-1 & 3 : Mr.P.S.Siva Shanmuga Sundaram,
Special Government Pleader

For RR-2 & 4 : Mr.V.Anandhamoorthy (TNHB)

JUDGMENT

(Judgment of the Court was delivered by
HULUVADI G.RAMESH, J.)

It is submitted by the learned counsel appearing for the appellants that due to dumping of garbage, cutting of electricity and water supply, all the allottees have vacated the premises and the buildings have rendered unoccupied and as such, the writ appeal has become infructuous.

2. Heard Mr.P.S.Siva Shanmuga Sundaram, leaned Special Government Pleader appearing for respondents 1 and 3.

3. Mr.V.Anandhamoorthy, learned counsel appearing for respondents 2 and 4/Tamil Nadu Housing Board, would submit that

out of 84 rental allottees, 62 have vacated the premises and only 22 allottees have filed writ petition in W.P.No.14421 of 2013. Pending the writ petition, 13 rental allottees have vacated the premises and 9 petitioners/allottees alone prosecuted the writ petition. The said writ petition came to be dismissed on 20.07.2018 and only 5 allottees have filed the present writ appeal. It is further submitted that respondents 2 and 4 have demolished the already vacated premises.

4. Recording the said submissions made by the learned counsel appearing for the appellants and the learned counsel appearing for respondents 2 and 4, this Writ Appeal is dismissed. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The Secretary,
Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.
2. The Chairman,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.
3. The District Collector,
Coimbatore District,
Coimbatore.
4. The Executive Engineer-cum-Administrative Officer,
TNHB - Coimbatore Housing Unit,
Tatabad, Coimbatore - 641 012.
Tamil Nadu.

+1cc to Mr. A.Sankaran, Advocate, S.R.No. 64366
+1cc to Mr. V.Anandha Murthy, Advocate, S.R.No. 64293
+1cc to the Government Pleader, S.R.No. 64559

W.A.No.1743 of 2018

RSI (CO)
GN(14/11/2018)