



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.09.2018
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.21198 of 2018

AC.Sridharan

... Petitioner

Vs

1.The State of Tamil Nadu
rep.by its Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-9.

2.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-35.

3.The Executive Officer/Administrative Officer,
Tamil Nadu Housing Board,
EVN Road, Erode - 9.

... Respondents

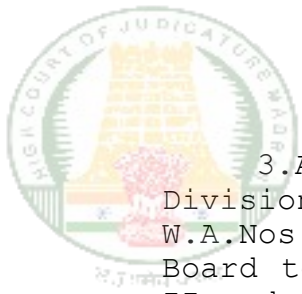
Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 12.05.2018 seeking the allotment of plot under ex-owner category as the legal heir of K.Subramaniam and pass final orders in the light of the order of the Hon'ble Division Bench dated 12.06.2007 in W.A.No.1317 of 2000 to 1320 of 2000 as confirmed by the Hon'ble Supreme Court dated 21.02.2012 in SLP No.23940 of 2007 within the time fixed by this Court.

For Petitioner : Mr.L.Chandrakumar for
Mr.LC.Vasudevan
For R1 : Mr.V.Shanmugasundar, SGP
For R2 & R3 : Mr.V.Anandamoorthy

ORDER

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

2.The limited prayer sought in this writ petition is to issue a mandamus, directing the respondents to consider the representation of the petitioner dated 12.05.2018 and pass appropriate orders.



3. According to the learned counsel for the petitioner, a Division Bench of this Court, by judgment dated 12.06.2007 in W.A.Nos.1317 to 1320 of 2000, directed the Tamil Nadu Housing Board to allot a commercial plot in Sampath Nagar Phase I/Phase II scheme to each of the writ petitioners therein, within a period of 30 days, with further directions. The said judgment was also confirmed by the Supreme Court by order dated 21.02.2012 in SLP.No.23940 of 2007 etc. Since the petitioner is similarly placed person like that of the petitioners therein, he submitted a representation on 12.05.2018 seeking allotment of the commercial plot in Sampath Nagar, Erode under Ex-owner category, in the light of the aforesaid decisions. However, the said representation was not considered by the respondents, till date. Hence, this writ petition.

4. Heard the learned Special Government Pleader appearing for the first respondent and the learned counsel for the respondents 2 and 3. They submitted that the respondents would consider the representation of the petitioner on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the representation of the petitioner dated 12.05.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. While passing orders, the respondent shall bear in mind the judgment dated 12.06.2007 passed by the Division Bench of this Court in W.A.Nos.1317 to 1320 of 2000, which was also confirmed by the Supreme Court vide order dated 21.02.2012 in SLP.No.23940 of 2007 etc. cases.

6. Accordingly, this writ petition stands disposed of. No costs.

rk

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-9.



2.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-35.

3.The Executive Officer/Administrative Officer,
Tamil Nadu Housing Board,
EVN Road, Erode - 9.

+1cc to Mr.I.C.Vasudevan, Advocate SR.NO.61024
+1cc to Mr.V.Anandhamurthy, Advocate SR.NO.61095
+1cc to Government Pleader SR.NO.61256

BR(CO)
sm:17.10.2018

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