

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.23238 of 2013
and M.P.No.1 of 2013

1.J.Mallika (deceased)
2.K.Jeya Athithan
3.J.Vinoth

... Petitioners

[P2 & P3 are substituted as LRs of the deceased P1, J.Mallika, as per the order of this Court, dated 31.07.2018, in WMP.No.21584 of 2018 in WP.No.23238 of 2013]

Vs.

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Madras - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
Madras - 600 035.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus, to call for the records of the proceedings in Letter No.17693/HB5(1)/11-5, dated 02.04.2013, on the file of the first respondent, and to quash the same as illegal, incompetent and without jurisdiction and to further direct the respondents to restore the allotment of the commercial plot bearing No.''R-58'' at the Maduravoyil Scheme in favour of the petitioner.

For Petitioners : Mr.V.Raghavachari

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader for R1
Mr.V.Anandamurthy
Standing counsel for R2

O R D E R

This writ petition has been filed challenging the cancellation of allotment made in favour of the petitioner by the first respondent dated 02.04.2013.

2. Heard the learned counsel for the petitioners, learned Special Government Pleader for the first respondent and the learned Standing counsel for the second respondent.

3. Mr.V.Anandamurthy, learned Standing counsel for the second respondent submitted that as per the proceedings of the Tamil Nadu Housing Board dated 15.2.2003, the Allotment / cancellation can be decided only by the committee. The proceeding dated 15.2.2003 is placed before this Court for perusal.

4. In the light of the above facts, this Court is of the opinion that no further adjudication is required in this writ petition. Accordingly, this writ petition is closed with liberty to the petitioner to approach the committee. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Madras - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
Madras - 600 035.

+1cc to Mr.V.Anandhamurthy, Advocate, S.R.No.52159.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.52088.

+1cc to the Government Pleader, S.R.No.52914.

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VD(CO)

rrs 19/09/2018