

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.35045 of 2013

Sree Amman Matriculation
Higher Secondary School,
EVK Sampath Nagar,
Erode,
Rep.by its Correspondent,
T.Jayalakshmi. ... Petitioner

Vs

1.The Chairman,
Tamilnadu Housing Board,
Nandanam,
Chennai - 600 035.
2.The Executive Engineer and
Administrative Officer,
Erode Housing Unit,
Tamilnadu Housing Board,
Erode - 638 001. ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, to call for the records relating to the impugned order dated 11.11.2013 made in Letter No.R-9/9070/98 issued by the second respondent and to quash the same.

For Petitioner : Mr.R.Sivaprakasam

For Respondents: Mr.V.Anandamurthy
Standing Counsel

O R D E R

Heard Mr.R.Sivaprakasam, learned counsel for the petitioner and Mr.V.Anandamurthy, learned Standing counsel for the respondents and perused the materials available on record.

2.The petitioner challenges the demand notice issued by the second respondent dated 11.11.2013, in and by which, the petitioner was directed to pay a sum of Rs.30,42,661/-.

3.The case of the petitioner is that pursuant to the demand notice dated 27.11.2012, the petitioner had remitted the entire demand amount of Rs.22,69,604/-, however, within a

period of seven months another demand notice dated 11.11.2013 has been issued. According to the petitioner no break up figure was given in the impugned notice.

4. The learned Standing counsel appearing for the respondents, by referring to the counter affidavit filed by the first respondent, submitted that the petitioner has failed to pay the subsequent rents and arrears amount, comes to Rs.1,95,00,000/-. It is further submitted that the impugned order issued by the second respondent is only a communication for taking action under Sections 84(2) and 84(1) of the Tamil Nadu Housing Board Act,1961. A Statutory notice would be issued to the petitioner and only after giving an opportunity, they will take further action.

5. In the light of the above facts and the submissions made by the learned counsel on either side, I do not find any merits in this writ petition. Accordingly, this writ petition is dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Chairman,
Tamilnadu Housing Board,
Nandanam,
Chennai - 600 035.

2.The Executive Engineer and
Administrative Officer,
Erode Housing Unit,
Tamilnadu Housing Board,
Erode - 638 001.

+ 1 cc to Mr.R. Sivaprakasam, Advocate Sr.45129
+ 1 cc to MR. M/s. V. Anandhamurthy, Advocate SR.45627

W.P.No.35045 of 2013

NRL(CO)
EU(25/07/2018)