

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2018

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P.Nos.14237,14238,15271,15281 & 15299 of 2002

Tmt.Kasthuri Rajasingh ...Petitioner in W.P.No.14237 of 2002

Smt.Bhagavathy Subramaniam ...Petitioner in W.P.No.14238 of 2002

Smt.Mohana Seshamma ...Petitioner in W.P.No.15271 of 2002

Smt.Baby Muthian ...Petitioner in W.P.No.15281 of 2002

M.Jayaraman ...Petitioner in W.P.No.15299 of 2002

...Vs...

1.The Secretary to Government of
Tamilnadu, Housing & Urban
Development Department,
Fort. St.George, Chennai-600 009.

2.The Chairman & Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.

3.The Executive Engineer &
Administrative Officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
2nd Avenue, Anna Nagar,
Chennai - 600 040.

...Respondents
in All WPs

Common Prayer: Writ petitions filed under Article 226 of the
Constitution of India to issue a Writ of Certiorari to call for
the entire records relating to the Impugned order passed by the
3rd respondent herein in his
Lr.No.Aa.Na.Ko/Survey/6275/85/dt.2.4.2002 and quash the same.

For petitioner : No Appearance
in All WPs

For Respondents: Mr.K.Ravikumar for R1 & R 2
in All WPs Standing Counsel

Mr.B.Vivekavanan for R 3

COMMON ORDER

The prayer sought for in these writ petitions is only against the impugned order, passed by the 3rd respondent - The Executive Engineer & Administrative Officer, Anna Nagar Division, Tamil Nadu Housing Board, 2nd Avenue, Chennai-600 040, in its proceedings in Lr.No.Aa.Na.Ko/Survey/6275/85/dt.2.4.2002 and quash the same.

2.Since the issue raised in respect of all these writ petitions are one and the same, and they seek for a similar relief, these writ petitions are disposed of by this common order.

3.When the case is called today, no one is appearing for the petitioners. However Mr.K.Ravi Kumar, learned Standing Counsel appearing for the respondents-Tamil Nadu Housing Board has submitted that, after a long struggle, all these petitioners who are encroachers in the respondent Housing Board land abutting on the 60 feet Road for several years, had been evicted by the Tamil Nadu Housing Board with the help of Revenue Officials, Corporation Officials and with Police protection on 02.08.2018. Thereby all the five petitioners have been evicted from the encroached land belonging to the Tamil Nadu Housing Board.

4.It is also submitted by the learned standing counsel - Tamil Nadu Housing Board that, though these petitioners are not entitled for any alternative sites, since they had been in occupation of the encroached land of the Tamil Nadu Housing Board, the Government has come forward to give alternative sites and those alternative sites have also been given to all the petitioners, who are already residing there. In spite of the development, since they did not vacate the encroached portion, such eviction was undertaken on 02.08.2018, and accordingly all these petitioners had been evicted.

5.I have considered the said submissions made by the learned standing Counsel appearing for the Tamil Nadu Housing Board, and by recording the same, this Court is inclined to pass the following order.

i)In view of the eviction already been undertaken on 02.08.2018 by which all the petitioners had been evicted from the encroached lands which is the subject matter herein, they are not entitled for any relief, and therefore, no further issue is pending for adjudication in these writ petitions. Hence by recording the said statement made by the learned Standing Counsel for the Tamil Nadu Housing Board, all these writ petitions are dismissed. No costs.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

KP

To

1.The Secretary to Government of
Tamilnadu, Housing & Urban
Development Department,
Fort. St.George, Chennai-600 009.

2.The Chairman & Managing Director,
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Nandanam, Chennai-600 035.

3.The Executive Engineer &
Administrative Officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
2nd Avenue, Anna Nagar,
Chennai - 600 040.

+1 CC to Mr.B.Vivekavanam, Advocate sr 60083.

+1 CC to Govt. Pleader sr 60885.

W.P.Nos.14237,14238,15271,
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AK(CO)
SP(25/09/2018)

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