

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.2066 of 2019

D.Karal Marx

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai-35.

2.The Secretary,
Tamilnadu Housing and Urban Development
Fort St.George, Chennai.

3.The Executive Engineer and Executive Officer,
Tamil Nadu Housing Board,
Anna Nagar Zone, Thirumangalam,
Chennai 101.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to allot an accommodation for petitioner in the newly constructed government quarters at Paadi, Chennai under the public rental scheme based on the petitioner's representation dated 14.12.2018.

For Petitioner : Mr.Arokia Dass
for M/s.Dass and Viswa Associates

For Respondents : Mr.V.Anandamurthy for R1 and R3
Special Government Pleader
Mr.E.Balamurugan for R2

O R D E R

The petitioner seeks for a mandamus to direct the respondents to allot an accommodation for petitioner in the newly constructed government quarters at Paadi, Chennai under the public rental scheme based on the petitioner's representation dated 14.12.2018.

2.The case of the petitioner is as follows:

She was allotted a flat in No.F25 at Shenoy Nagar, Tamil Nadu Government Servant Quarters by the second respondent through G.O.(2d) No.309 dated 01.04.2008. From the date of allotment, the petitioner was residing in the said premises. On 17.04.2018, the petitioner was called upon to vacate the premises on the ground that the same is to be demolished and reconstructed. Accordingly, the petitioner handed over the premises to the first respondent within the time stipulated. The first respondent also assured the petitioner that an alternative accommodation will be given to the petitioner within a short time. Even though the petitioner's neighbours were given alternative accommodation at Padikuppam, Chennai, the petitioner was not given any such alternative accommodation. Therefore, the petitioner made a representation on 29.07.2018 and again on 14.12.2018 to the second respondent, seeking for alternative accommodation. The said request is not considered so far.

3.Heard both sides.

4. Considering the above stated facts and circumstances and without expressing any view on the merits of the claim made by the petitioner, the second respondent is directed to consider the representation of the petitioner dated 29.07.2018 and again on 14.12.2018 and pass orders on the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. Needless to say that if the petitioner's neighbours also provided with alternative accommodation, as claimed by the petitioners, the case of the petitioners will also be considered in similar line.

5.With the above direction, this writ petition stands disposed of. No costs.

vri

सत्यमेव जयते

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai-35.

2. The Secretary,
Tamilnadu Housing and Urban Development
Fort St.George, Chennai.

3.The Executive Engineer and Executive Officer,
Tamil Nadu Housing Board,
Anna Nagar Zone, Thirumangalam,
Chennai 101.

+1cc to M/s.Dass & Viswa Associates, Advocate, S.R.No.13662

+1cc to M/s.V.Anandhamurthy Advocate, S.R.No.13172

+1cc to the Government Pleader, S.R.No.13479

Kak(14/03/2019)

W.P.No.2066 of 2019



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