

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2019

CORAM :

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.5878 of 2011
and
M.P.No.2 of 2011

V. Kuttiappan

.. Petitioner

Vs.

1. The Chairman
Tamil Nadu Housing Board
493, Anna Salai
Nandanam, Chennai -35.
2. The Superintending Engineer
Headquarters - TNHB
493, Anna Salai
Nandanam, Chennai -35.
3. The Chief Election Commissioner
State of Tamil Nadu
Fort St. George
Chennai - 600009.

...Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in Re-Tender Notice No.40/10-11 dated 11.02.2011 in respect of item No.2 pertaining to the construction of 25 HIG houses and 54 MIG houses in Sanapiratti Village, Karur Taluk and quash the same and forbear the respondents 1 and 2 and their agents or subordinates of anyone claiming under them from proceeding with the construction of the houses in the lands of the petitioner in S.No.1474 Sanapiratti Village, Karur Taluk and District.

For Petitioner : Mr.P. Srinivas
For Respondents : Mr.V. Anandhamoorthy
Standing Counsel for TNHB

O R D E R

The writ petition is filed seeking to quash the Re-Tender Notice No.40/10-11 dated 11.02.2011 issued by the 2nd respondent in respect of item No.2 pertaining to the construction of 25 HIG houses and 54 MIG houses in Sanapiratti Village, Karur Taluk and forbear the respondents 1 and 2 and their agents or subordinates of anyone claiming under them from proceeding with the construction of the houses in the lands of the petitioner in S.No.1474 Sanapiratti Village, Karur Taluk and District.

2. Learned counsel for the respondent Board submitted the counter affidavit filed the 2nd respondent, wherein a statement has been made in paragraph 6 that the Board has passed a Resolution 5.02 dated 03.02.2012 for construction of the 25 HIG Houses and 54 MIG houses under Self financing scheme, Phase 3 Sanapiratti Village, Karur Taluk and had constructed the houses and allotted to the general public. The sale deed had also been issued to the allottees. Hence, nothing survives in this writ petition and the same may be dismissed as infructuous.

3. Recording the above submission of the 2nd respondent in the counter affidavit, the Writ Petition is dismissed as infructuous. Consequently, the connected Miscellaneous Petition is closed. No order as to costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

avr

To

1. The Chairman
Tamil Nadu Housing Board
493, Anna Salai, Nandanam, Chennai -35.

2. The Superintending Engineer
Headquarters - TNHB
493, Anna Salai
Nandanam, Chennai -35.

3. The Chief Election Commissioner
State of Tamil Nadu
Fort St. George, Chennai - 600 009.

+1cc to Mr.P. Srinivas , Advocate SR.No. 9070

+1cc to Mr.V. Anandhamoorthy , Advocate SR.No. 9288

W.P.No.5878 of 2011

and

M.P.No.2 of 2011

A.SK(22/03/2019)