

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5562 of 2019

R.Deenadayalu

... Petitioner

Vs.

1.The Managing Director,  
Tamilnadu Housing Board,  
Nanadanam, Chennai - 35.

2.The Executive Engineer/Administrative Officer,  
Tamilnadu Housing Board,  
Anna Nagar Division,  
Chennai - 101.

3.The Regional Deputy Commissioner (Central),  
Corporation of Chennai,  
Zone-VIII, Shenoy Nagar,  
Chennai - 30.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1<sup>st</sup> respondent to consider the proposal sent by the 2<sup>nd</sup> respondent dated 30.04.2018 within reasonable time.

For Petitioner : Mr.S.Sivakumar

For Respondents: Mr.R.Bharath Kumar for R1 & R2  
Mrs.Karthika Ashok for R3

O R D E R

Mr.R.Bharath Kumar, learned counsel takes notice for the 1<sup>st</sup> and 2<sup>nd</sup> respondents and Mrs.Karthika Ashok, learned counsel takes notice for the 3<sup>rd</sup> respondent. By consent of the parties, the main writ petition is taken up for final disposal.

2. The petitioner seeks for a Mandamus, directing the 1<sup>st</sup> respondent to consider the proposal sent by the 2<sup>nd</sup> respondent dated 30.04.2018 within reasonable time and pass orders on the same.

3. It is stated that the petitioner's land was subjected to land acquisition proceedings and consequently an extent of 5.5 acres were acquired from the possession of his family. He requested to the respondent-Board for allotting 5 grounds, however, the petitioner was allotted only 4 grounds and 1875 sq.ft. instead of 5 grounds under the ex-owner category, since the remaining portion of 525 sq.ft. is in the occupation of the 3<sup>rd</sup> respondent-Corporation.

4. It is further stated that the 2<sup>nd</sup> respondent has also sent a proposal to the 1<sup>st</sup> respondent for considering the claim of the petitioner.

5. This Court, at this stage, is not expressing any views on the merits of the claim made by the petitioner, as it is for the 1<sup>st</sup> respondent to consider and decide, after hearing all the parties concerned.

6. Accordingly, this writ petition is disposed of, only by directing the 1<sup>st</sup> respondent to consider the claim made by the petitioner, after hearing the petitioner as well as the 3<sup>rd</sup> respondent and pass appropriate orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,  
Tamilnadu Housing Board, Nanadanam, Chennai - 35.

2.The Executive Engineer/Administrative Officer,  
Tamilnadu Housing Board, Anna Nagar Division, Chennai - 101.

3.The Regional Deputy Commissioner (Central),  
Corporation of Chennai, Zone-VIII, Shenoy Nagar, Chennai - 30

+1 cc to Mr.S.Sivakumar, Advocate Sr.No.32603

+1 cc to Mr.R.Bharath Kumar, Advocate Sr.No.32509

+1 cc to M/s.Karthikaa Ashok, Advocate Sr.No.32432

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CSL/30.04.2019