

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.7429 of 2012
and M.P.No.1 of 2012

N.Anandan

.. Petitioner

Vs.

1. The Chairman, TNHB,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

2. The Revenue Officer,
The Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

... Respondents

Prayer : writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the 2nd respondent, relating to the proceedings bearing No.Aa.Va. B4/21311/2011 dated 29.2.2012 quash the same.

For Petitioner : Mr.C.M.Mohanasundaram for
M/s.M.S.Associates

For Respondents : Mr.R.Bharathkumar

ORDER

The writ petitioner is challenging the order dated 29.02.2012 passed by the 2nd respondent Housing Board, wherein the 2nd respondent cancelled the tenancy order and directed the petitioner to handover the possession to the respondent on or before 30.03.2012.

2. The learned counsel for the petitioner states that the interim stay was granted up to 18.04.2012 and thereafter, the interim stay was not extended. Subsequently, the respondent Housing Board had evicted the petitioner from the premises bearing No.A/2 Block, Kodambakkam, Pudur Government Housing Board, Ashok Colony, Chennai - 600 083. Challenging the same, the writ petitioner has filed another writ petition in W.P.No.11750 of 2018, which is pending before this Court.

3. The learned counsel for the respondent submits that the petitioner is not in possession of the aforesaid property and he was evicted by the respondent/Housing Board. Further, it is submitted that as the petitioner has challenged the subsequent order passed by the respondent/Housing Board in W.P.No.11750 of 2018, this writ petition has become infructuous.

4. The learned counsel for the petitioner submits that the petitioner may be granted liberty to work out his remedy in the aforesaid W.P.No.11750 of 2018.

5. The writ petitioner was evicted from the premises and possession was also handed over to the respondent/Housing Board. When that being the position, the instant writ petition has now become infructuous. It is for the parties concerned to work out their remedy in W.P.No.11750 of 2018, which is pending before this Court.

With the above direction, the writ petition is dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chairman, TNHB,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

2. The Revenue Officer,
The Tamil Nadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.

+1 cc to M/s.R.Bharathkumar, Advocate Sr.No. 92077

AKM/10.12.19/2P-4C /

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