

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.Nos.20750, 20754 and 20758 of 2019

A.Vaidyanathan .. Petitioner in
W.P.No.20750 of 2019

N.Krishnan .. Petitioner in
W.P.No.20754 of 2019

A.B.Sairam .. Petitioner in
W.P.No.20758 of 2019

Vs.

1 The State of Tamil Nadu,
Rep. by its Secretary to the Government,
Tamil Nadu Housing and Urban Development Department,
Fort St. George,
Chennai - 9.

2 The Executive Engineer and Administrative Officer
and Competent Authority,
Tamil Nadu Housing Board,
Anna Nagar, 2nd Avenue,
Chennai - 600 040.

.. Respondents
in all WPs

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Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent Appellate Authority to dispose of the appeal filed as against the proceedings of the second respondent dated 31.05.2019 as expeditiously as possible and in accordance with law.

For Petitioners : Mrs.R.Hemalatha

For Respondents : Mr.S.N.Parthasarathi
Government Advocate
for respondent No.1

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioners have filed the above writ petitions to issue writ of mandamus directing the first respondent to dispose of the appeal filed as against the proceedings of the second respondent dated 31.05.2019 as expeditiously as possible and in accordance with law.

2. The learned counsel for the petitioners submitted that though the petitioners have filed appeals as early as 01.07.2019 along with petitions for stay as against the orders passed by the second respondent dated 31.05.2019, the Appellate Authority i.e., the first respondent, has not passed any order in the stay petitions. Further, the learned counsel submitted that since the first respondent has not passed any order in the stay petitions, the second respondent is threatening to evict the petitioners from the disputed property. The learned counsel further submitted that in such circumstances the first respondent may be directed to dispose of the stay petitions as well as the appeals within a time frame.

3. Mr.S.N.Parthasarathi, learned Government Advocate appearing for the first respondent submitted that the first respondent may be directed to dispose of the stay petitions within a period of two weeks from the date of receipt of a copy of this order.

4. Having regard to the submissions made by the learned counsel appearing on either side and considering the fact that the appeals as well as stay petitions filed by the petitioners are pending before the first respondent, we direct the first respondent to dispose of the stay petitions filed by the petitioners in the appeals dated 01.07.2019 within a period of two weeks from the date of receipt of a copy of this order. We also direct the first respondent to dispose of the appeals preferred by the petitioners as expeditiously as possible.

5. With these observations, the writ petitions are disposed of. No costs. Consequently, W.M.P.Nos.19914, 19918 and 19920 of 2019 are closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To:

- 1 The Secretary to the Government,
State of Tamil Nadu,
Tamil Nadu Housing and Urban Development Department,
Fort St. George,
Chennai - 9.
- 2 The Executive Engineer and Administrative Officer
and Competent Authority,
Tamil Nadu Housing Board,
Anna Nagar, 2nd Avenue,
Chennai - 600 040.

+1 cc to Government Pleader Sr.No. . 60257,60256,60270

+3ccs to Mrs.R.Hemalatha, Advocate SR.No. 60420,60421,60422

W.P.Nos.20750, 20754 and 20758 of 2019
A.SK(31/07/2019)

सत्यमेव जयते

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