

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2019

CORAM

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

W.P.Nos.21103, 21107, 21111, 21113 and 21117 of 2019
and W.M.P.Nos.20299, 20303, 20307, 20310 and 20316 of 2019

S.R.Muthusamy .. Petitioner in WP.21103/2019
R.Sivakumar .. Petitioner in WP.21107/2019
Mosalikanti Jaikishore .. Petitioner in WP.21111/2019
S.Jaishree .. Petitioner in WP.21113/2019
A.Abiraman .. Petitioner in WP.21117/2019

.Vs.

- 1 The State of Tamil Nadu,
Rep. by its Secretary to Government of Tamil Nadu,
Housing and Urban Development Department
Fort St. George, Chennai - 9.
- 2 The Executive Engineer & Administrative Officer
and Competent Authority,
Tamil Nadu Housing Board
Anna Nagar, 2nd Avenue
Chennai - 600040. ..Respondents in all WPs.

COMMON PRAYER:-

Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st Respondent Appellate Authority to dispose of the appeal filed as against the proceedings of the 2nd Respondent dated 31.05.2019 as expeditiously as possible and in accordance with law.

For Petitioners : Mrs.R.Hemalatha

For Respondents : Mr.V.Jayaprakash
Narayanan
Government Pleader (i/c.)
for respondent No.1

For Respondent

: Mr.M.Baskar
for respondent No.2

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 appeals filed by them as against the proceedings of the 2nd respondent dated 31.05.2019. The details of the respective property of the petitioners are mentioned as hereunder:

W.P.No.	Land Particulars
21103/2019	: Old S.No.14/2C and further sub-divided as S.No.14/2C2, admeasuring an extent of 3054 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.6, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089
21107/2019	: Old S.No.14/2 and New S.No.14/2C1, admeasuring an extent of 525 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.7, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089
21111/2019	: Old S.No.14/2C1B admeasuring an extent of 1609 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.7, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089
21113/2019	: Old S.No.14/2 and New S.No.14/2C1 admeasuring an extent of 4107 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.7, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089
21117/2019	: Old S.No.14/2C and New S.No.14/2C1 admeasuring an extent of 961 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.8-B, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089

2.Learned Counsel appearing 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.The learned Government Pleader (i/c.) appearing for the first respondent in these writ petitions 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, if the appeals are found to be filed within time, 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, connected miscellaneous petitions are closed.

sra

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

- 1 The Secretary to Government
State of Tamil Nadu
Housing and Urban Development Department
Fort St. George, Chennai - 9.
- 2 The Executive Engineer and Administrative Officer
Cum Competent Authority
Tamil Nadu Housing Board
Anna Nagar, 2nd Avenue
Chennai - 600040.

+lcc to Mr.R.Hemalatha, Advocate, SR.No.62567
+lcc to Mr.M.Baskar, Advocate, SR.No.62799
+lcc to the Govt.Pleader, Vide Sr.No.62528

W.P.Nos.21103, 21107, 21111,
21113 and 21117 of 2019

Kak(19/08/2019)



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