

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2019

CORAM

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

W.P.Nos.22899, 22905 and 22908 of 2019
and W.M.P.Nos.22533, 22538 and 22543 of 2019

P.Saravanan .. Petitioner in WP.22899/2019
K.Murali .. Petitioner in WP.22905/2019
M.Ganesh .. Petitioner in WP.22908/2019

Vs.

- 1 The State of Tamil Nadu,
Rep. by its Secretary to Government
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.

Prayer in W.P.No.22899, 22905, 22908 of 2019;

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 on 01.07.2019 as against the proceedings of the 2nd Respondent dated 31.05.2019 (W.P.22899/2019), 14/09/2018 (W.P.22905/2019) and 31/05/2019 (W.P.22908/2019) respectively as expeditiously as possible and in accordance with law as expeditiously as possible and it accordance with law.

For Petitioners : Mrs.R.Hemalatha

For Respondents : Mr.S.N.Parthasarathi
Government Advocate
for respondent No.1
Mr.M.Baskar
for respondent No.2

COMMON ORDER

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

Heard Mrs.R.Hemalatha, learned counsel for the petitioner, Mr.S.N.Parthasarathi, learned Government Advocate, for respondent no.1 and Mr.M.Baskar, learned counsel for respondent no.2.

2.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
22899/2019	: 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
22905/2019	: Old S.No.14/3 and New S.No.14/8, admeasuring an extent of 2273 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.4, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089
22908/2019	: Old S.No.14/3A and New S.Nos.14/8 and 14/10 admeasuring an extent of 2336 sq.ft. of Ramapuram Village, Ambattur Taluk, Thiruvallur District, bearing Plot No.2, Kalyani Ponnappan Avenue, Ramapuram, Chennai 600089

3.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.

4.The learned Government Advocate 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.

5.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.

With these observations, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

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.

+2cc to Mrs.R.Hemalatha, Advocate Sr.66927, 66928

+3cc to Mr.M.Baskar, Advocate Sr.66948

+1cc to the Government Pleader Sr.67064

W.P.Nos.22899, 22905 and
22908 of 2019

ev[col]
srg 09/09/2019



WEB COPY