



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31037 of 2019
and
W.M.P. No. 31138 of 2019

M. Chitra

... Petitioner

-vs-

1. The Principal Secretary,
Housing & Urban Development Department
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
2. The Managing Director,
Tamil Nadu Housing Board, Foreshore Estate,
Division, Anna Salai, Nandanam,
Chennai - 600 035.

(R2 impleaded as per order dated 19.11.2019
made in W.M.P. No. 32283/2019 in W.P. No.
31037/2019)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari-fied Mandamus, calling for the records of the proceedings of the Respondent in his Letter No. 19353/HB2 (2)/2019 (5) dated 22.10.2019 and quash the same and thereby consequentially direct the respondent to grant re-allotment as per the representation dated 17.07.2018 of the Petitioner.

For Petitioner : Mr. S. Senthilnathan

For Respondents: Mr. P. H. Aravindh Pandian
Additional Advocate General assisted by
Mr. M. Karthikeyan
Additional Government Pleader (for R1)

Mr. R. Bharathkumar (for R2)



O R D E R

When the matter is taken up for hearing today, Learned Additional Advocate General appearing on behalf of the First Respondent has produced an affidavit dated 28.11.2019 filed by the Additional Secretary to Government Housing and Urban Development Department, Government of Tamil Nadu stating as follows:-

"7. It is submitted that, after obtaining the legal opinion from the Additional Advocate General - II of Hon'ble High Court, the Government is willing to accommodate the Petitioner on monthly rental basis in H5 or I5, subject to an undertaking to be given by the Petitioner to pay the Monthly Rent, Maintenance Charge and Water Charge regularly without any default and vacate and hand over the vacant peaceful position as and when it is required for demolition and re-construction by Tamil Nadu Housing Board. It is necessary requires two weeks time to issue the allotment order to the Petitioner as certain procedures have to be followed by the Government at various levels."

Recording the aforesaid submissions made, it shall be ensured by the Respondents that the aforesaid undertaking is carried out without brooking any delay and a report of compliance is filed before the Registrar (Judicial) of this Court by 31.01.2020.

2. The Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

kv/vjt

To

1. The Principal Secretary,
Housing & Urban Development Department
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
2. The Managing Director,
Tamil Nadu Housing Board, Foreshore Estate,
Division, Anna Salai, Nandanam,
Chennai - 600 035.



Copy TO

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No. 99858
+1cc to Mr.S.Senthil nathan, Advocate, S.R.No. 99379

W.P. No. 31037 of 2019

BS (CO)
GN(09/01/2020)