

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

W.A.No.2348, 2451 2597, 2600 of 2018

and

C.M.P.Nos.19806,, 21161, 21162, 21199, 21200, 21218, 21220

1.R.Kothairaman

2.T.Gowri

3.T.Sornapandian

4.N.Rajeshkumar ...Appellants in W.A.No.2348/2018

1.N.Viswanathan

2.S.Poongodi

3.G.Arivazhagan

4.G.Durairaj

5.R.Chinnathambi

6.K.Kesavan

7.V.Sourimuthupillai

8.B.Mohanraj

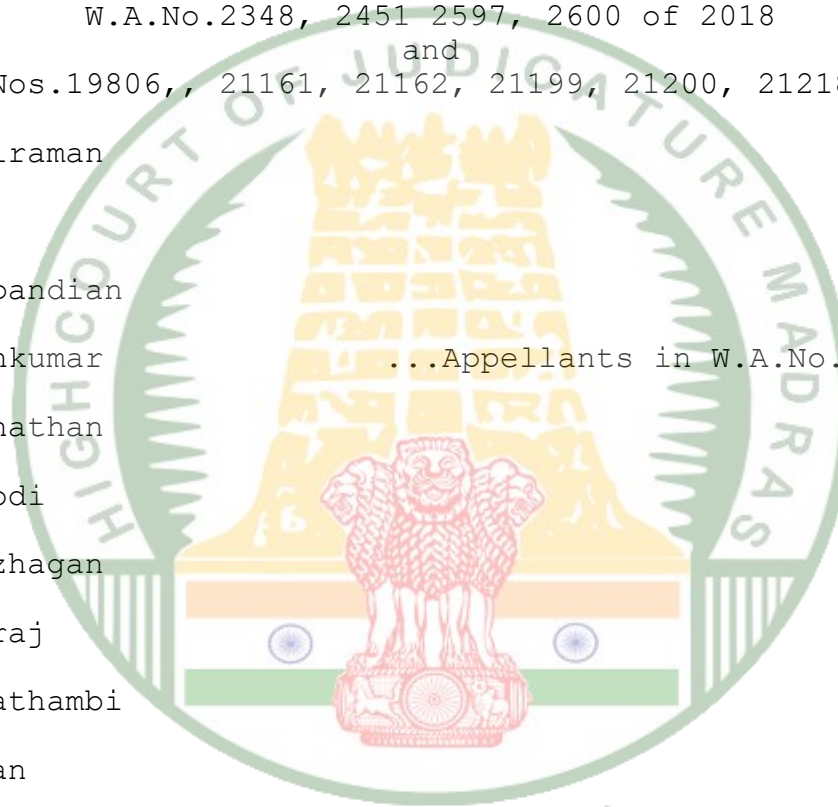
9.K.Udayakumar

10.J.Lathajeyanthai

11.A.Ravi

12.D.Rajendran

13.T.Suma



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14.S.S.Kumaravel

15.P.Illakkiavani

16.A.G.Azhagi Lakshmi

17.Venkatesan Chandra

18.R.Umapathy

19.K.B.Manigandan

20.V.Manimekalai

21.A.Manjuladevi

22.R.Vimala

23.P.Kalainesan

24.M.Ravi

25.R.P.Yuvaraj

26.G.Dhanalakshmi

27.S.Dyabara Ramesh

28.K.Killivalavan

29.M.Selvanayaki

30.S.Shanmugam

...Appellants in W.A.No.2451/2018

1.A.Chithira

2.C.Krishnan

सत्यमेव जयते ...Appellants in W.A.No.2597/2018

1.D.Vijayalakshmi

2.K.Chandrasekaran

...Appellants in W.A.No.2600/2018

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Vs

1.The Principal Secretary to Government
Housing & Urban Development Department
Chennai 600 009.

2.Tamil Nadu Housing Board,
Rep.by its Principal Secretary /
Managing Director,
Nandanam, Chennai-600 035.

3.The Executive Engineer and Executive Officer,
Tamil Nadu Housing Board,
C.I.T.Nagar Division,
Chennai-600 017.

...Respondents in all W.As

4.R.Amudha

5.A.Ramamoorthy

6.J.Krithiga

... Respondents in WA 2348/18

PRAYER in W.A.No.2348 of 2018:- Writ Appeal filed under clause 15 of the Letter Patents to set aside the order dated 01.08.2018 passed by this Court in W.M.P.No.19199 of 2018 in W.P.No.16134 of 2018 to the extent it relates to the appellants, who were not provided with alternate accommodation at Todhunter Nagar itself and allow the appeal filed by the appellants / petitioners.

PRAYER in W.A.No.2451 of 2018:- Writ Appeal filed under clause 15 of the Letter Patents to set aside the order dated 01.08.2018 passed by this Court in W.M.P.No.16956 of 2018 in W.P.No.14350 of 2018 to the extent it relates to the appellants, who were not provided with alternate accommodation at Todhunter Nagar itself and allow the appeal filed by the appellants / petitioners.

PRAYER in W.A.No.2597 of 2018:- Writ Appeal filed under clause 15 of the Letter Patents to set aside the order dated 01.08.2018 passed by this Court in W.M.P.No.17631 of 2018 in W.P.No.14914 of 2018 to the extent it relates to the appellants, who were not provided with alternate accommodation at Todhunter Nagar itself and allow the appeal filed by the appellants / petitioners.

PRAYER in W.A.No.2600 of 2018:- Writ Appeal filed under clause 15 of the Letter Patents to set aside the order dated 01.08.2018 passed by this Court in W.M.P.No.19894 of 2018 in W.P.No.16689 of 2018 to the extent it relates to the appellants, who were not provided with alternate accommodation at Todhunter Nagar itself and allow the appeal filed by the appellants / petitioners.

WP.NO. 16134 OF 2018: Calling for the records of the 1st respondent under G.O.Ms. No.21 dated 29.01.2013 together with the consequential notices issued to the petitioners by the 2nd respondent under letter No.GRS3/13211 / 2018-78 (464-C-AL5 - 606-C-C78) GRS3/13211/ 2018-43 (46C-AI10- 606-C-C43) GRS3/13211/ 2018-51(464-D-AC18 - 606-D-D51) GRS3/13211/ 2018-111 (464-D-AE41- 606D-D111) GRS3/13211/ 2018-27(464-D-AB- 23-

606-D-D27) GRS3/13211/ 2018-127 (464-D-AG- 34-606-D-D127) and GRS3(13211/ 2018-21(464-C-AA4 - 606C-C21) dated 05.06.2018 to quash the same.

WP.NO. 14350 OF 2018:calling for the records of the 1st Respondent under G.O.Ms. No.21 Housing & Urban development Department dated 29.01.2013 together with the consequential notices issued to the Petitioners by the 3rd Respondent dated 09.06.1987 25.05.2018 and 05.06.2018 and to quash the same.

W.P.No.14914 OF 2018: calling for the records of the 1st respondent under G.O. Ms. NO. 21 dated 29.01.2013 together with the consequential notices issued to the petitioners by the 3rd respondent under letter No. GRS3/ 13211/ 2018-33 (464-D-AB12-606-D-D33) GRS3/ 13211/ 2018-126 (464-D-AB12-606-D-D126) GRS3/ 13211/ 2018-149 (464-D-AB12-606-D-D149) GRS3/ 13211/ 2018-52 (464-D-AB12-606-D-D52) GRS3/13211/ 2018-2 (464-D-AB12-606-D-D2) DATED 05.06.2018 AND CIT Na.Ka. 03/662/17 dated 25.05.2018 to quash the same

WP.No. 16689 OF 2018:

Calling for the records of the 1st respondent under G.O. Ms.No.21 dated 29.01.2013 together with the consequential notices issued to the petitioner by the 3rd respondent under letter No.GRS3/13211/ 2018-82 (464-C-AL 9- 606-C-C82) GRS3 / 13211 / 2018-154(464-D-AH 48-606-D-D154) GRS3 / 13211 / 2018-146 (464-D-AH 34-606-D-D146) GRS3 / 13211/2018 - 65(464-D-AD 2-606-D-D65) dated 05.06.2018 to quash the same and forbear the respondents from evicting the petitioner from existing allotment.

For Appellants in all W.As : Mr.Richardwilson
For Respondents in all W.As : Mr.Anandhamurthy,
Standing Counsel

COMMON JUDGMENT

[Judgment of the Court was delivered by M.SATHYANARAYANAN, J.,]

The present writ appeals are preferred against the common order dated 01.08.2018, in and by which the interIm order sought by the appellants came to be rejected.

2. Mr.Richard Wilson, learned counsel appearing for the appellants would submit that subsequently main writ petitions came to be dismissed with certain directions on 28.09.2018 and in the light of the said development, nothing remains for further adjudication in these writ appeals and also prays for opportunity to challenge the said final order.

3. This Court heard the submission of the learned counsel appearing for the respondents also.

4. In the light of the said submission and development, this Court is of the considered view that nothing remains for further adjudication in these appeals, as they are preferred only against the rejection of the petitions filed for interim orders. Therefore, the writ appeals are dismissed, confirming the order dated 01.08.2018. However, if the appellants / writ petitioners are so advised and if it is available to them under law, they are always at liberty to challenge the common order dated 29.08.2018 made in W.P.Nos.16134, 14350, 14914, 16689 of 2018.

5. Accordingly, the writ appeals are dismissed. No costs. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government
Housing & Urban Development Department
Chennai 600 009.

2.The Principal Secretary /
Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.

3.The Executive Engineer and Executive Officer,
Tamil Nadu Housing Board,
C.I.T.Nagar Division,
Chennai-600 017.

+1cc to Mr.P.Wilson, Advocate, S.R.No. 7114
+4cc to Mr.V.Anandhamurthy, Advocate, S.R.No. 6746
+1cc to the Government Pleader, S.R.No. 6537

W.A.No.2348, 2451 2597, 2600 of 2018

KAN(CO)
GN(26/02/2019)