



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD)No.4055 of 2013
and
MP(MD)Nos.1 and 2 of 2013

M.Jude Sahayaraj

... Petitioner

Vs.

1.State of Tamil Nadu
rep.by its
Secretary to Government,
Housing Unit and Urban Development Dept.,
Fort St. George,
Chennai - 600 009.

2.The Chairman and Managing Director,
Tamil Nadu Housing Board,
Nandanam,
Chennai - 600 009.

3.The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
Tirunelveli Housing Unit,
Sivanthipatty Road,
Tirunelveli - 627 011.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records pertaining to the impugned communication in Letter No.H3/7333/99 dated 16.08.2012 along with the working sheet and the information in Letter No.R4/7333/99 dated 01.02.2013 on the file of the 3rd respondent and quash the same as illegal and consequently direct the 3rd respondent to issue the sale deed strictly in adherence with the order of fixation of final land cost dated 19.01.2011 and with the benefit of G.O.Ms.No.215, Housing Board and Rural Development Department, dated 28.09.2012 along with the refund of excess amount paid by the Petitioner with interest within the refund of excess amount paid by the Petitioner with interest within the time stipulated by this Court.



For Petitioner : Mr.T.Lajapathi Roy

For R1 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

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For R2 & R3 : Mr.Mahaboob Athiff

ORDER

Challenging the impugned communication of the third respondent dated 16.08.2012, this writ petition has been filed. A consequential direction to the third respondent to issue sale deed strictly in adherence with the order of fixation of final land cost dated 19.01.2011, has also been sought for.

2.The learned counsel appearing for the petitioner fairly submits that nothing survives for adjudication in the present writ petition, since the entire costs as fixed by the respondent/Housing Board was paid by the petitioner and sale deed was issued on 06.05.2019 to the petitioner. He has also made an endorsement to that effect.

3.In view of the submission and endorsement made by the the learned counsel for the petitioner this writ petition is dismissed as infructuous. No costs. Consequently, MP(MD)Nos.1 and 2 of 2019 are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Secretary to Government,
State of Tamil Nadu
Housing Unit and Urban Development Dept.,
Fort St. George,
Chennai - 600 009.



2.The Chairman and Managing Director,
Tamil Nadu Housing Board,
Nandanam,
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3.The Executive Engineer and
Administrative Officer,
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Tirunelveli Housing Unit,
Sivanthipatty Road,
Tirunelveli - 627 011.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-95820[F] dated
04/11/2019)

+1 CC to M/s.GP (SR-95946[F] dated 04/11/2019)

+1 CC to M/s.M.MAHABOOB ATHIFF, Advocate (SR-96121[F] dated
05/11/2019)

W.P. (MD) No.4055 of 2013
01.11.2019

JMN(14.11.2019) 3P : 7C