



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

WEB COPY

W.P. (MD) .No.13342 of 2019

Uma Parameshwari

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented by its Secretary,
Housing and Urban Developments,
Fort St. George, Chennai-09.
2. The Tamil Nadu Housing Board,
Represented by its Managing Director,
Nandanam, Chennai.
3. The Executive Engineer cum Administrative Officer,
Tirunelveli Housing Unit, Tirunelveli. ... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to return / re-convey the land of the petitioner subjected to acquisition in S.No.12/2, V.M. Chathram Village, Palayamkottai Taluk, Tirunelveli District by considering the petitioner's representation dated 02.05.2019 within the time that may be stipulated by this Court.

For Petitioner	: Ms.T.K.Akalya
For R1	: Ms.Vaishnavi, Government Advocate.
For R2 and R3	: Mr.M.Mahaboob Athiff, Standing Counsel.

ORDER

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents 1 and 2 to return / re-convey the land of the petitioner subjected to acquisition in S.No.12/2, V.M. Chathram Village, Palayamkottai Taluk, Tirunelveli District by considering the petitioner's representation dated 02.05.2019, within the time that may be stipulated by this Court.

2.Heard Ms.T.K.Akalya, learned counsel appearing for the petitioner, Ms.Vaishnavi, learned Government Advocate, who accepts notice on behalf of the first respondent and Mr.M.Mahaboob Athiff, learned Standing Counsel, who accepts notice on behalf of the respondents 2 and 3.



3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner, in order to seek return back or re-convey the land belongs to her situated at S.No.12/2, V.M. Chatham Village, Palayamkottai Taluk, Tirunelveli District, which was subjected to acquisition proceedings, had given a representation dated 02.05.2019 to the respondents. If the said representation of the petitioner is directed to be considered and an order to that effect is directed to be passed, within a time frame, the petitioner would be satisfied.

5. The learned Government Advocate appearing for the first respondent would submit that the second respondent is the authority to consider the said request of the petitioner and the learned Standing Counsel appearing for the respondents 2 and 3 would submit that within a time frame, the said representation of the petitioner dated 02.05.2019 would be considered on merits and an order to that effect would be passed.

6. Considering the limited scope of this Writ Petition, this Court is inclined to pass the following order:-

"that the second respondent is hereby directed to consider the representation of the petitioner dated 02.05.2019 on merits and in accordance with law with regard to her grievance of return back or re-convey her land, which has already been subjected to acquisition and pass orders thereon, within a period of eight (8) weeks from the date of receipt of a copy of this order."

7. With this direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Secretary,
State of Tamil Nadu,
Housing and Urban Developments,
Fort St. George, Chennai-09.



2. The Tamil Nadu Housing Board,
Represented by its Managing Director,
Nandanam, Chennai.

3. The Executive Engineer cum Administrative Officer,
Tirunelveli Housing Unit, Tirunelveli.

+ 1 CC to The Special Government Pleader SR.No.68878

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