



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.23818 of 2019

and

W.M.P(MD)No.20448 of 2019

WEB COPY

V.Revathy

... Petitioner

vs.

1.The Administrative Director,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai - 600 035.

2.The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Unit,
Ellis Nagar,
Madurai - 625 016.

3.The Sub-Registrar,
Sub-Registrar Office,
Chokkikulam, Madurai.

4.Gokila Devi

5.Revathy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to cancel the registered sale deeds in Document No.7484 of 2010 dated 25.11.2010 and Document No.95 of 2011 dated 02.12.2010 on the file of Sub-Registrar, Chokkikulam, Madurai, executed by second respondent.

For Petitioner	: Mr.S.A.Ajmal Khan
For RR 1 & 2	: Mr.M.Mahaboob Athiff
	Standing Counsel
For R - 3	: Mr.M.Murugan,
	Government Advocate.

ORDER

Mr.S.A.Ajmal Khan, learned counsel on record for writ petitioner, Mr.M.Mahaboob Athiff, learned Standing Counsel for 'Tamil Nadu Housing Board' (hereinafter referred to as 'TNHB' for brevity), who accepts notice on behalf of respondents 1 and 2 and Mr.M.Murugan, learned Government Advocate, who accepts notice on behalf of respondent 3 are before this Court.



2.To be noted, respondents 4 and 5 are private respondents. From the case file placed before this Court and in the light of trajectory of hearing today, this Writ Petition can be disposed of by passing an order, which is not adverse to the rights of respondents 4 and 5. Therefore, with consent of aforementioned learned counsel ie., counsel for writ petitioner, Standing Counsel for TNHB and State Counsel for third respondent main writ petition is taken up, heard out and is being disposed of.

3.There is no disputation or disagreement before this Court that entire Writ Petition is predicated on a representation dated 13.05.2019 given by writ petitioner to respondents 1 and 2 (page Nos.73 to 75 of the typed set of papers forming part of the case file).

4.Though the matter was listed in the admission board today, learned Standing Counsel for TNHB, who has accepted notice on behalf of respondents 1 and 2, submitted that 13.05.2019 representation which is the fulcrum of instant Writ Petition has since been disposed of by TNHB by proceedings dated 08.11.2019 bearing Letter No.A3/1678/2016.

5.To be noted, prayer in instant Writ Petition which is for Mandamus qua cancellation of sale deeds, is predicated on the aforesaid representation dated 13.05.2019.

6.Faced with the above situation, learned counsel for writ petitioner submitted that rights of writ petitioner may please be preserved to challenge aforesaid proceedings of TNHB dated 08.11.2019 bearing Letter No.A3/1678/2016.

7.Therefore, instant Writ Petition is disposed of recording the position that 13.05.2019 representation of writ petitioner, which is the nucleus of this Writ Petition, has since been disposed of and all rights and contentions of writ petitioner including points raised in instant Writ Petition are preserved for writ petitioner to assail the aforesaid proceedings of TNHB dated 08.11.2019 bearing Letter No.A3/1678/2016, if so advised. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)



To

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1.The Administrative Director,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai - 600 035.

2.The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Unit,
Ellis Nagar,
Madurai - 625 016.

3.The Sub-Registrar,
Sub-Registrar Office,
Chokkikulam, Madurai.

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-97792[F] dated
13/11/2019)

+1 CC to M/s.SPL GP (SR-98091[F] dated 13/11/2019

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