IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.34394 of 2013
and
M.P.Nos.1 and 2 of 2013

Margaret ...Petitioner

-vs-

1. Estate Officer,
Office of the Assistant Estate Manager,
Shastri Bhavan, Chennai - 6.

2. Assistant Estate Manager,
Office of the Assistant Estate Manager,
Shastri Bhavan, Chennai - 6. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records the order of C.M.A. No.96/2012 dated 30.8.2013 passed by Principal Judge, City Civil Court and consequential order bearing No.C 19/215/ 2012 AEM (M)/ 8879 dated 26.11.2013 passed by the second respondent and quash the same.

For Petitioner : Petitioner-in-Person
No Appearance.

For Respondents : Mr.K.Srinivasamurthy, CGSC

ORDER

This Writ Petition is heard through Video Conference on account of COVID-19 pandemic situation.

2. This Writ Petition is directed against the order dated 30.08.2013 passed by the learned Principal Judge, City Civil Court, Chennai in C.M.A.No.96 of 2012. The said Civil Miscellaneous Appeal was filed against the order of eviction passed by the first respondent in proceedings No.C/19/215/evict/2012/AAM(M)/2519 dated 28.06.2012.

3. The petitioner was allotted the government

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accommodation in No.18/6 Type-III, Besant Nagar, while she was working in the office of the Regional Passport Office, Chennai. After her transfer to Bangalore, she did not surrender the premises and she was over staying there. Hence, the order of eviction was passed, which was confirmed in the appeal also.

4. In the counter affidavit filed on behalf of the second respondent, it is stated that the petitioner had already vacated the premises and stated as follows:

> "6. Subsequently the petitioner got reposting to Chennai on 18.03.2014, she paid damaged rate for the unauthorised period and after clearance of all the government dues, the allotment was regularised w.e.f. 18.03.2014. She retired from service on superannuation on 30.11.2014 and vacated the Government accommodation on 29.06.2015 and nothing is now outstanding against the petitioner and thus no further action is pending with this office with regard to the petitioner."

5. The above statement of the second respondent is recorded.

6. In view of the above, nothing survives for further adjudication in this Writ Petition. Accordingly, the Writ Petition is closed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

asr/srn

To

The Principal Judge,
City Civil Court,
Chennai.

+1cc to M/s. K.Srinivasa Murthy, Advocate, SR No.29565

W.P.No.34394 of 2013
and
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KJ(CO)
RN(30/11/2020)

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