



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2020

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD)No.16989 of 2015

R.Balasaravanakumar

... Petitioner

vs.

1.The Secretary,
Government of Tamil Nadu,
Tamil Nadu Housing Board
and Urban Development Department,
Secretariat, St.Fort George,
Chennai - 9.

2.The Managing Director,
Tamil Nadu Housing Board,
Chennai - 35.

3.The Executive Engineer
and Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Board Division,
Ellis Nagar, Madurai -10.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to execute the order passed by the first respondent in his proceedings in Letter No.16103/Ve.Va.3/2/2015-1, dated 11.08.2015 and hand over the house to the petitioner based on the representation, dated 09.09.2015.

For Petitioner	:Mr.K.Neelamegam
For R1	: Mr.A.Muthu Karuppan
	Additional Government Pleader
For R2 and R3	:No Appearance

ORDER

This Writ Petition is filed for issuing a direction to the third respondent to execute the order passed by the first respondent dated 11.08.2015.

2.The petitioner is residing in the Housing Board bearing Plot No.A25/5 in D.R.O.Colony, Madurai. Stating that the petitioner is residing with his old aged parents, who require medical assistants and care, the petitioner has submitted a representation for shifting his residence from A25/5 to another plot bearing Plot No.A24/8, which is also vacant. When the petitioner approached the first respondent, some officials from the first respondent Office, has recommended, as if she has been



instructed to communicate the third respondent to accept the request of the petitioner.

3. Though notice is served on the respondents 2 and 3, no one appeared before this Court and hence, this Court is not able to get instructions with regard to the *bona fide* of the recommendation of first respondent. However, having regard to the nature of relief prayed for in the present Writ Petition, this Court is of the view that the third respondent can be directed to consider the representation of the petitioner independently on merits. Hence, without expressing any opinion on the merits of the petitioner's representation, this Court is inclined to issue the following directions:

3.1. The third respondent is directed to consider the petitioner's representation, dated 09.09.2015 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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To

1. The Secretary,

Tamil Nadu Housing Board

and Urban Development Department,

Secretariat, St. Fort George, Chennai - 9.

2. The Managing Director,

Tamil Nadu Housing Board, Chennai - 35.

3. The Executive Engineer

and Administrative Officer,

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