

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE ABDUL QUDDHOSE

W.P.No.1013 of 2021
and W.M.P.No.1116 of 2021

E.Amsaveni

... Petitioner

Vs

1. The Executive Engineer-cum-Administrative Officer,
Tamil Nadu Housing Board,
Coimbatore Housing Board Division,
Tatabad, Coimbatore - 641 012.

2. The Commissioner, Coimbatore Corporation,
Coimbatore.

3. Parameswari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of mandamus to direct the first respondent to confirm the possession and ownership of the petitioner in respect of the property bearing Plot No.EWS-B4 situated in S.F.No.487 Part, Kalapatty Village, Coimbatore District, measuring an extent of 48 sq.mt.

For Petitioner : Mr.K.K.Senthil Velan
For Respondents 1 & 2 : Mr.R.Bharath Kumar

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondent to confirm the possession and ownership of the petitioner in respect of the property bearing Plot No.EWS-B4 situated in S.F.No.487 Part, Kalapatty Village, Coimbatore District, measuring an extent of 48 sq.mts.

2. Heard Mr.K.K.Senthil Velan, learned counsel for the petitioner and Mr.R.Bharath Kumar, learned Standing Counsel appearing on behalf of the respondents 1 and 2.

3. The positive direction sought for in this Writ Petition cannot be granted by this Court, as till date, no counter affidavit has been filed by the respondents.

4. However, the learned Standing counsel appearing for the respondents, on instructions, would submit that the first respondent is willing to consider the petitioner's representation dated 27.09.2019 seeking for the same relief on merits and in accordance with law, after hearing the third respondent also.

5. Learned counsel for the petitioner, on instructions, agrees to the said submission made by the learned Standing Counsel appearing for the respondents 1 and 2.

6. After recording the rival submissions, this Court directs the first respondent to consider the petitioner's representation dated 27.09.2019 seeking for a direction to the first respondent to confirm the possession and ownership of the petitioner in respect of the property bearing Plot No.EWS-B4 situated in S.F.No.487 Part, Kalapatty Village, Coimbatore District, measuring an extent of 48 sq.mts and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the third respondent, within a period of 12 weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

SRN

To

1. The Executive Engineer-cum-Administrative Officer,
Tamil Nadu Housing Board,
Coimbatore Housing Board Division,
Tatabad, Coimbatore - 641 012.

2. The Commissioner,
Coimbatore Corporation,
Coimbatore.

+1cc to Mr.Bharath Kumar, Advocate, S.R.No.19964

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PCH(CO)
TE (20/04/2021)