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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.10730 of 2019

1. S.V.Gunasekar
2. V.Sundaram
3. Kalavathi
4. Revathi

... Petitioners

vs.

1. The Executive Engineer cum Administrative Officer,
Vellore Housing Scheme,
Tamil Nadu Housing Board,
Sathuvachari Part - 1,
Vellore & District - 632 009.
2. The Assistant Executive Engineer,
Tamil Nadu Housing Board
(Vellore Housing Section),
Sathuvachari Part 1,
Vellore - 632 009.
3. The Assistant Engineer,
Tamil Nadu Housing Board,
Arakkonam,
Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the impugned notice issued by the 1st Respondent in Lr.No.VS-1/5109/92, dated 20.12.2018 and to quash the same.

For Petitioners : Mr.G.Sankaran

For Respondents 1 to 3 : Mr.R.Bharath Kumar

O R D E R

Petitioners have come up with this Writ Petition challenging the impugned notice dated 20.12.2018 issued by the 1st Respondent.



2. According to the Petitioners, they are the joint owners of the property comprised in T.S.No.60, Old No.249B/1B & 2B, Arakkonam Town, Vellore District to an extent of 6128 sq. ft., which remains to be an ancestral property and they are commonly aggrieved by the notice of eviction dated 20.12.2018 issued by the 1st Respondent herein.

3. When the matter was taken up for hearing, learned Standing Counsel appearing for the Respondents submitted that, without sending a reply to the impugned Show Cause Notice, Petitioners have filed the above Writ Petition, and the same is not sustainable.

4. In reply, learned counsel for the Petitioners submitted that, a direction may be issued to the Petitioners to give a suitable reply to the Show Cause Notice issued by the 1st Respondent, within a period of two weeks and thereafter, appropriate orders may be passed in accordance with law.

5. In the case on hand, admittedly, Petitioners have not sent any reply to the Show Cause Notice issued by the 1st Respondent. Without doing so, they have directly approached this Court, which is not sustainable. However, Petitioners are granted two weeks' time to send a reply to the impugned Show Cause Notice and on receipt of the same, the 1st Respondent shall consider and pass appropriate orders in accordance with law within a period of two weeks.

The Writ Petition stands dismissed with the above direction. No costs. Consequently, W.M.P.Nos.11207 and 11209 of 2019 are closed.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Executive Engineer cum Administrative Officer,
Vellore Housing Scheme, Tamil Nadu Housing Board,
Sathuvachari Part - 1, Vellore & District - 632 009.
2. The Assistant Executive Engineer,
Tamil Nadu Housing Board (Vellore Housing Section),
Sathuvachari Part 1, Vellore - 632 009.



3. The Assistant Engineer,
Tamil Nadu Housing Board,
Arakkonam, Vellore District.

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+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.65575

+1cc to Mr.Sarvabhauman, Advocate, S.R.No.65548

W.P.No.10730 of 2019

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NSK 30/12/2021