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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 14383 of 2021

and

W.M.P.No.15298 of 2021

1. Padmanabhan

2. Shanmugam

...Petitioners

Vs

1. The State of Tamil Nadu,
rep. by its Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai 600 009.

2. The Special Tahsildar (LA),
Hosur Housing Scheme,
Bagalur Road,
Krishnagiri District.

3. The Managing Director,
Tamil Nadu Housing Board,
No.33, Anna Salai,
Nandanam, Chennai 600 035

4. The Executive Engineer & Managing Director,
Tamil Nadu Housing Board,
Hosur Housing Board,
Bagalur Salai, Hosur,
Krishnagiri District.

5. The Commissioner,
Survey and Settlement Office,
PWD Estate, Chepauk,
Chennai 600 005.

...Respondents

Writ Petition filed under Article 226 of the Constitution
of India to issue a Writ of Mandamus, directing the 5th



respondent herein to dispose of the appeal letter No.P2/8569-A/1989, dated 16.09.2019 filed by the 4th respondent herein, and not-served to the petitioner within a time limit that may be fixed by this Court on the basis of written submission made by the petitioner on 12.04.2021.

For petitioner : Mr. B. Ramar
For respondents : Mr. Yogesh Kannadasan,
Government Advocate
for R1 and R2

ORDER

This writ petition has been filed seeking a direction to the 5th respondent to dispose of the appeal filed by the 4th respondent.

2. According to the petitioner, as against the order passed by the 2nd respondent with regard to granting of patta in favour of the petitioner, the 4th respondent Housing Board filed an appeal before the 5th respondent, in which, enquiry notice was issued and the petitioner also appeared for enquiry. But, so far no order has been passed. Hence, the present writ petition has been filed.

3. The learned counsel for the petitioner would submit that since the matter is pending for a long time and the petitioner is the senior citizen, the 5th respondent may be directed to consider the petitioner's representation after hearing both the parties.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and also the fact that the 4th respondent's appeal is pending with the 5th respondent, and enquiry has already commenced, the 5th respondent is directed to consider the 4th respondent's appeal dated 16.09.2019, complete the enquiry and pass suitable orders, on merits and in accordance with law, after giving opportunity to the petitioner as well as 4th respondent, within a period of six (6) weeks from the date of receipt of a copy of this order.



6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

mrp

To

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai 600 009.
2. The Special Tahsildar (LA),
Hosur Housing Scheme,
Bagalur Road,
Krishnagiri District.
3. The Managing Director,
Tamil Nadu Housing Board,
No.33, Anna Salai,
Nandanam, Chennai 600 035.
4. The Executive Engineer & Managing Director,
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Bagalur Salai, Hosur,
Krishnagiri District.
5. The Commissioner,
Survey and Settlement Office,
PWD Estate, Chepauk,
Chennai 600 005.

+1cc to the Government Pleader, S.R.No.33999

W.P. No. 14383 of 2021

CA(CO)
SU(23/08/2021)