



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.18247 of 2018
and W.M.P.Nos.21558 & 21559 of 2018

R.Malarvizhi

...Petitioner

Vs

1.The Principal Secretary,
Housing & Urban Development Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2.The Deputy Secretary (Revenue),
Office of the Managing Director
Tamil Nadu Housing Board,
493, Anna Salai,
Nandanam, Chennai - 600 035.

... Respondents

Prayer Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Certiorari, calling for the records relating to the order impugned of respondent No.2, in his letter No. GR 7/1961/2018 dated 29.01.2018 and quash the condition fixating the rent as Rs.6,669/- per month alone as the same is contrary to law.

For Petitioner : No Appearance

For R1 : Mr.M.Shahjahan
Special Government Pleader

For R2 : Mr.R.Bharath Kumar
Standing Counsel

ORDER

This Writ Petition has been filed for the issuance of Writ of Certiorari, calling for the records relating to the order impugned of respondent No.2, in his letter No. GR 7/1961/2018 dated 29.01.2018 and quash the condition fixating the rent as Rs.6,669/- per month alone as the same is contrary to law.



2. When the matter is taken up for hearing, none appeared for the petitioner. The challenge in the Writ Petition is against the impugned order dated 29.01.2018, passed by the second respondent, whereby, increasing the rent of the petitioner's flat.

3. The learned Standing Counsel appearing for the second respondent submitted that, the similar impugned orders were challenged by many tenants. However, the same was dismissed by this Court. Against which, the Writ Appeals were preferred in W.A.No.535 of 2019 etc batch, which was also dismissed by confirming the order passed in the Writ Petition. Therefore, he submitted that the issue in the present Writ Petition is no more res integra. Hence, prayed to dismiss the Writ Petition.

4. Though the learned Standing Counsel appearing for the second respondent submitted that the issue in the present Writ Petition is no more res integra, since there is no representation for the petitioner, this Writ Petition is dismissed for non-prosecution. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

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To:

1. The Principal Secretary,
Housing & Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2. The Deputy Secretary (Revenue),
Office of the Managing Director
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

+1cc to Mr. R. Bharath Kumar, Advocate SR.No.69130

+1cc to Government Pleader SR.No.69550

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SSV(CO)
GMY(19/01/2022)