



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.7145 of 2017
and
W.M.P.Nos.7743 & 7744 of 2017

A.Afzalullakhan

...Petitioner

..Vs..

1. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai 600 035.

2. The Deputy Secretary,
CIT Nagar Planning Division-I,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai 600 035.

...Respondents

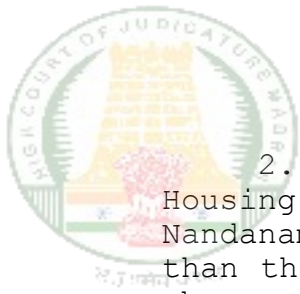
PRAYER : Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in relating to the impugned order bearing reference No.Va.Va.B.1/41294/2010, dated 17.02.2017 and quash the same as arbitrary, illegal, consequently direct the respondents to consider the petitioner's representation dated 03.01.2017.

For Petitioner : Mr.P.R.Thiruneelakadan

For Respondents : Mr.R.Bharath Kumar
Standing Counsel

O R D E R

This Writ Petition has been filed, seeking for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order bearing reference No.Va.Va.B.1/41294/2010, dated 17.02.2017 and consequently direct the respondents to consider the petitioner's representation dated 03.01.2017.



2. The case of the petitioner is that initially Tamil Nadu Housing Board allotted a flat bearing No.A-7, Transit Flat, Nandanam, Chennai, to one Mr.Amanullah Khan, who is none other than the petitioner's father. Right from the said allotment, the above said premises has been in possession and enjoyment of the petitioner's father and his family. After the demise of petitioner's father, the said allotment was canceled by virtue of the impugned order, dated 17.02.2017. Aggrieved over the same, the petitioner has made a representation, dated 03.01.2017 to 2nd respondent to consider his representation and to allot the same flat, as he is the Legal Heir of the deceased father, in whose favour, earlier allotment was made. Since the said representation evoked no response, the petitioner has approached this Court by way of the present Writ Petition seeking for the aforesaid relief.

3. On the last occasion, i.e. 16.11.2021, when the matter was taken up, Mr.R.Bharath Kumar, the learned Standing Counsel appearing for the respondents submits that the respondents took possession of the property with the help of the Police Officials on 19.07.2021. Therefore, this Court directed the respondents to file a status report in this regard.

4. Today, when the matter is taken up for hearing, Mr.R.Bharath Kumar, the learned Standing Counsel appearing for the respondents submits that already the possession was taken up by the respondents on 19.07.2021.

5. In reply, Mr.P.R.Thiruneelakadan, the learned counsel for the petitioner would submit the said fact may be recorded and the Writ Petition may be closed.

6. Recording the above submission made by the learned counsel for the respondent, this Writ Petition is dismissed as no further order is required. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

jd/sd



To

1. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai 600 035.
2. The Deputy Secretary,
CIT Nagar Planning Division-I,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai 600 035.

+1cc to Mr.Bharath Kumar, Advocate, S.R.No.61894

W.P.No.7145 of 2017
and
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MG(CO)
SU(07/01/2022)