



W.A.No.3810 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2023

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

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1. The Government of Tamil Nadu
rep.by the Secretary to Government
Housing & Urban Development Department
Fort St.George
Chennai 600 009
 2. The District Collector
Collectorate Complex
Coimbatore
Coimbatore District
 3. The Special Tahsildar (LA)
Housing Scheme Unit
Tatabad, Coimbatore-12
- .. Appellants

v.

1. Venkatesan
2. Narasimman
3. Santhamani
4. Savithri
5. Jeyamani



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6. Kavithamani

7. The Tamil Nadu Housing Board
rep.by its Chairman & Managing Director
Nandanam, 493, Anna Salai
Chennai 600 035

8. The Executive Engineer &
Administrative Officer
Tamil Nadu Housing Board
Coimbatore Housing Unit
Tatabad, Coimbatore-12

.. Respondents

Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 07.05.2014 made in W.P.No.9006 of 2014.

For Appellants :: Mr.U.M.Ravichandran
Special Government Pleader

For Respondents :: Mr.J.Jayamalan for R1 to R6
Batta with petition due reg. R7 & R8

JUDGMENT

(Judgment of the Court was made by D.KRISHNAKUMAR,J.)

The State has filed this intra-Court appeal aggrieved by the order dated 07.05.2014 passed in Writ Petition No.9006 of 2014.

2. When the matter was taken up, the learned counsel appearing for



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the private respondents/land owners, drawing our notice to the Division Bench judgment of this Court in the case of ***Tamil Nadu Housing Board represented by its Managing Director and another v. iGate Global Solutions Limited represented by its Group Manager-Administration, Chennai and another, 2016 (2) CTC 241***, submitted that when the very same order passed by the writ Court allowing the writ petition filed by the private respondents herein in respect of the property in question owned by them, was put to challenge by the Tamil Nadu Housing Board in W.A.No.1439 of 2014 along with other writ appeals, all the writ appeals came to be dismissed vide the judgment cited supra. Subsequently, the review applications filed by the Tamil Nadu Housing Board against the said judgment were also dismissed vide the order dated 30.03.2022 in R.A.Nos.173 to 176 of 2017 etc., batch. Therefore, according to the learned counsel appearing for the private respondents, when the Tamil Nadu Housing Board has unsuccessfully challenged the order dated 7.5.2014 passed by the writ Court in respect of the property in question owned by the private respondents, this appeal by the State against the very same impugned order has to be dismissed, in the light of the judgment of the



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Division Bench cited supra.

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3. The learned Special Government Pleader appearing for the appellants, as clearly borne out from the records, has not controverted the submission made by the learned counsel appearing for the private respondents.

4. In the light of the decision cited supra, this writ appeal stands dismissed. Consequently, C.M.P.No.24064 of 2019 is also dismissed. There shall be no order as to costs.

(D.K.K.,J.) (P.B.B,J.)
28.08.2023

Index : yes/no
Neutral citation : yes/no

SS

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