



W.P(MD)Nos.20474 of 2022 & 18607 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.20474 of 2022 & 18607 of 2021

and

W.M.P.(MD)Nos.14822, 9340 of 2022 & 15343 of 2021

W.P(MD)No.20474 of 2022:

N.Viswanathan

... Petitioner

Vs

1.The Executive Engineer and
Administrative Officer,
Thanjavur Housing Unit,
Tamil Nadu Housing Board,
Thanjavur-613 005.

2.Parvatha Rajakula Inland Fishermen
Co-operative Society, Thanjavur,
represented by its President.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in Letter No.R4/11516/1997 dated 24.08.2022 and consequently forbearing the respondents herein, their men, agents or any one on their behalf from in any



W.P(MD)Nos.20474 of 2022 & 18607 of 2021

manner forcibly dispossessing the petitioner from the open space fish shop situated on west of Block-B, 1-6 of Government Employees Quarters belonging to Thanjavur Housing Board.

For Petitioner : Mr.P.Vadivel

For Respondents : Mr.M.Suresh
Standing Counsel for R.1

Mr.N.Ramesh Arumugam
Government Advocate for R.2

W.P(MD)No.18607 of 2021:

N.Viswanathan

... Petitioner

Vs

1.The Executive Engineer and
Administrative Officer,
Thanjavur Housing Unit,
Tamil Nadu Housing Board,
Thanjavur-613 005.

2.Parvatha Rajakula Inland Fishermen
Co-operative Society, Thanjavur,
represented by its President.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the first respondent herein, their men, agents or any one on their behalf from in any manner forcibly dispossessing the petitioner from the open space fish shop situated on west of Block-B 1-6 of Government Employees Quarters belonging to Thanjavur



W.P(MD)Nos.20474 of 2022 & 18607 of 2021

Housing Board in View of the order of injunction in IA No.699 of 2013 in OS No.293 of 2013 on the file of District Munsif Court, Thanjavur and consequently consider the request of the petitioner to allot 100 sq.ft., open space fish shop out of 200 sq.ft., situated on west of Block-B 1-6 of Government Employees Quarters belonging to Thanjavur Housing Board, in the name of petitioner as per representation dated 21.08.2021 as a special case for aged physically handicapped.

For Petitioner : Mr.P.Vadivel

For Respondents : Mr.M.Suresh
Standing Counsel for R.1

Mr.N.Ramesh Arumugam
Government Advocate for R.2

COMMON ORDER

Heard the learned counsel on either side.

2. The learned counsel appearing for the petitioner informs the Court that the petitioner is unable to run the shop in question and that he would surrender the same and hand over the possession to the first respondent on 20.01.2023. The said submission is recorded. If the petitioner fails to adhere the undertaking, it is open to the first respondent to take possession of the petition mentioned shop on 21.01.2023. I make it clear that other issues are left open.



W.P(MD)Nos.20474 of 2022 & 18607 of 2021

3. These writ petitions are disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

02.01.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA

To

1.The Executive Engineer and
Administrative Officer,
Thanjavur Housing Unit,
Tamil Nadu Housing Board,
Thanjavur-613 005.

2.Parvatha Rajakula Inland Fishermen
Co-operative Society, Thanjavur,
represented by its President.



WEB COPY



W.P(MD)Nos.20474 of 2022 & 18607 of 2021

G.R.SWAMINATHAN, J.

MGA

W.P(MD)Nos.20474 of 2022 & 18607 of 2021
and
W.M.P.(MD)Nos.14822, 9340 of 2022 & 15343 of 2021

02.01.2023