



WEB COPY



WP No.3032 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Balasubramani

: Petitioner

versus

1.The Chairman,
Tamil Nadu Urban Habitat Development Board,
Kamarajar Salai, Chennai 5

2.The Managing Director,
Tamil Nadu Urban Habitat Development Board,
Kamarajar Salai, Chennai 5

3.The Estate Officer,
Division 7
Tamil Nadu Urban Habitat Development Board,
Teynampet, Chennai 18

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 31.01.2024 in Se.Mu.Ka.No.B7/11520/2022 passed by the 2nd respondent quash the same and consequently forbear the respondents from taking eviction proceedings against the petitioner.

For Petitioner : Mr.J.Sudhakaran

For Respondents : Mrs.K.Indumathi Venkatesan



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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Sudhakaran, learned counsel for the petitioner and Mrs.K.Indumathi Venkatesan, learned counsel appearing for the respondents.

2. The learned counsel for the petitioner submits that the respondents have directed eviction of the petitioner. The petitioner was inducted as a tenant. The subject premises was taken on lease. Now, the eviction order has been passed without any basis.

3. The learned counsel for the respondents submits that the petitioner has sold the subject property to a third party by name Panchatcharam and he is running the subject bunk. The petitioner has only sought for an alternate premises, considering his family circumstances. The learned counsel states that Anganwadi has to be opened next week.

4. Earlier also, the petitioner has filed a writ petition bearing No.27691 of 2022 wherein the contention of the respondents was



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that the petitioner has sold the property to another person for Rs.1,15,000/- and that he does not have a right or title in the subject property.

5. Considering the above, we are not inclined to entertain the writ petition. The writ petition is dismissed. There shall be no order as to costs. Consequently, WMP No.3310 of 2024 is closed.

6. The petitioner, or anybody claiming through him, shall vacate the subject writ premises within a period of one month from today. In case the petitioner fails to vacate within one month, the respondents shall take steps to evict the petitioner.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
tar

To

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