



WEB COPY



W.P.No.19

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.19908 of 2024

A.Prasanna Rajha

... Petitioner

-vs-

1. The Chairman-cum-Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.
2. The Executive Engineer-cum-Administrative Officer,
Tamil Nadu Housing Board,
Ayyan Thirumalligai Road,
Salem-636 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondents to put the remaining 15 commercial plots developed in the Survey No.1/3, 1/4, 2/10 and 2/13 in the Alagapuram Village, Salem Taluk and Salem District for public auction in a time bound manner, not later than one month.

For Petitioner : Mr.R.Rajaram

For Respondents : Mr.D.Veerasekaran
Standing Counsel for TNHB

ORDER



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(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents to put the remaining 15 commercial plots developed in the Survey No.1/3, 1/4, 2/10 and 2/13 in the Alagapuram Village, Salem Taluk and Salem District for public auction in a time bound manner, not later than one month.

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2. Mr.D.Veerasekaran, learned Standing Counsel for TNHB takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. When the matter is taken up for hearing, learned Standing Counsel for the TNHB has stated that the prayer sought in this petition cannot be entertained for the reason that a Writ Appeal preferred by the TNHB in W.A.No.1641 of 2016 was allowed in favour of the TNHB as early as on 30.08.2023, pursuant to which, steps have already been initiated for taking possession of the land under Section 47 of the Land Acquisition Act, 1894. He further stated that once the possession is taken by the Board, further action will be taken in respect of auction of 15 commercial plots.

4. Recording the statement made by the learned Standing Counsel for TNHB, this Writ Petition is disposed of with a direction to the TNHB to expedite the



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process of taking possession of the land by following procedures as adumbrated under the Act and proceed further as per law. No costs.

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[D.K.K.,ACJ.]

[K.B.,J.]

23.07.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order
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D.KRISHNAKUMAR,ACJ.,
AND
K.KUMARESH BABU,J.,



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