



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.02.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.4667 of 2024
& WMP.No.5098 of 2024

1.D.Jaisankar
2.S.Rajeshwari
3.D.Ravichandran
4.D.Gajendran

... Petitioners

Vs

1.The Managing Director
The Tamilnadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Near Vivekananda house,
Ayothiya Nagar, Triplicane, Chennai 600 005.

2.The Assistant Secretary (Tenement)
The Tamilnadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Near Vivekananda house,
Ayothiya Nagar, Triplicane, Chennai 600 005.

3.The Executive Engineer Division – V,
Pillayar Koil Thottam shopping complex,
R.K.Madam Salai, Mylapore,
Chennai 600 004

4.M.Shanthai

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider petitioners representation dated 07.11.2022 and 23.02.2023 cancel the allotment



in favour of 4th respondent and dispose of petitioners representation by this Hon'ble Court may be deemed fit.

For Petitioners : Mr.A.Thulasiraman

For Respondents : Mr.K.Tippu Sultan (R1 to R3)
Government Advocate

ORDER

Mr.K.Tippu Sultan, learned Government Advocate accepts notice for R1 to R3, being the officials of the Tamil Nadu Urban Habitat Development Board and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission. No notice is thought necessary to private respondent, arrayed as R4, in light of order proposed to be passed now taking into account her interests as well.

2. These four petitioners seek mandamus directing the 2nd respondent, Assistant Secretary, (Tenement) The Tamilnadu Urban Habitat Development Board to consider petitioners' representations dated 07.11.2022 and 23.02.2023, cancel the allotment in favour of 4th respondent and dispose their representations accordingly.

3. The facts relating to the prayer need not be adverted to seeing as the petitioner has reiterated those facts already in their representations dated 07.11.2022 and 23.02.2023.



4. Mr.Tippu Sultan would state that enquiry is already on-going and is awaiting the presence of R4 in order to finalise the the enquiry and pass orders on the representations.

5. Hence, it would suffice that a time frame be fixed under this order to facilitate and expedite the same. Mandamus is issued to R2 to continue with the enquiry presently on-going, hear the petitioner as well as R4 by issue of notice and any others who may be deemed necessary for proper adjudication of the matter, consider representations dated 07.11.2022 and 23.02.2023 and dispose the same on merits and in accordance with law, within a period of six (6) weeks from date of receipt of a copy of this order.

6. Needless to say that R2 need not await the presence of R4 indefinitely but only ensure due notice being served upon her in compliance with the principles of natural justice.

7. This Writ Petition is disposed in the aforesaid terms. No costs. Connected Miscellaneous Petition is closed.

27.02.2024

Index : Yes/No
Speaking Order:Yes
Neutral Citation:Yes
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DR.ANITA SUMANTH, J.

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WEB COPY

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