



W.P.No.10149 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10149 of 2025

and

W.M.P.Nos.11387 & 11389 of 2025

N.BALAKRISHNAN,
MIG, FLAT NO. E3,
TAMIL NADU HOUSING BOARD FLATS,
FORESHORE ESTATE, PATTINAPAKKAM,
CHENNAI - 600 028.

... Petitioner

Vs

1. TAMIL NADU HOUSING AND URBAN DEVELOPMENT DEPARTMENT,
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY,
FORT ST. GEORGE,
CHENNAI - 600 009.
2. TAMIL NADU HOUSING BOARD,
REPRESENTED BY MANAGING DIRECTOR,
CMDA BUILDING, KOYEMBEDU,
CHENNAI- 600 107 .
3. THE EXECUTIVE ENGINEER,
TAMIL NADU HOUSING BOARD,
PATTINAPAKKAM DIVISION,
NANDANAM,
CHENNAI - 600 035.
4. CHIEF REVENUE OFFICER,
TAMIL NADU HOUSING BOARD,
CMDA BUILDING, E AND C SHOP ROAD,
KOYAMBEDU, CHENNAI - 600 107.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to G.O.(Ms) No.18, Tamil Nadu Housing and Urban Development Department dated 07.02.2025 passed by the first respondent and quash the same and consequently forbear the respondents from evicting the petitioner from the allotted property at E-3, MIG Flats, TNHB Pattinapakkam, Chennai without following or contrary to the procedure and provisions under Tamil Nadu Housing Board Act 1961.

For Petitioner	: Mr.Niranjan Rajagopalan for M/s.G.R.Associates
For R1	: Mr.V.P.R.Ilamparithi Additional Government Pleader
For R2 to R4	: Mr.D.Veera Sekaran

ORDER

This writ petition is filed challenging the G.O.(Ms).No.18, dated 07.02.2025. By the said order, the appeal filed by the petitioner against the eviction order passed by the Tamil Nadu Housing Board has been rejected by the Government.

2. The learned counsel appearing for the petitioner would submit that in this case, the order of eviction has been passed for the demolition and re-



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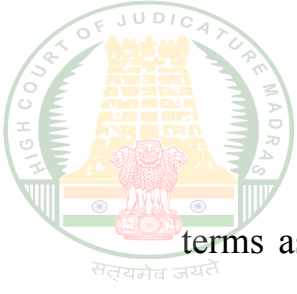
development of the property. According to the petitioner, the power under

Section 84 of the Tamil Nadu Housing Board Act cannot be invoked for such purposes, as it is available only in cases of sublease and other grounds specifically enumerated under Section 84 of the Act. Therefore, the entire exercise is without jurisdiction.

3. Per contra, the learned counsel appearing on behalf of the respondents 2 to 4 would submit that with reference to the same Pattinapakkam tenement, already the issue has been considered by this Court in W.P.No.17586 of 2024, etc. and the Court rejected the claim of the petitioner.

4. The learned counsel appearing for the petitioner produced a copy of W.P.No. 17586 of 2024 and stated that other affected persons have filed a writ appeal, which is currently at the numbering stage.

5. In view thereof, when the self same issue against the identical order, has already been considered by this Court and the claims of similar tenants were rejected, I see no reason to deviate from the binding precedent of this Court. Therefore, this writ petition shall also stand disposed of on the same



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terms as the order dated 25.10.2024 passed in W.P.No. 17586 of 2024, etc.

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Consequently, connected miscellaneous petitions are closed. No costs.

25.03.2025

Neutral Citation: Yes/No
nsl

To

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