

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19728 of 2015

B.Vasanthi

... Petitioner

- Vs -

1.Tamil Nadu Housing Board,
Rep. By its Chairman,
Nandanam,
Anna Salai,
Chennai 600 035.

2.The Tamil Nadu Housing Board,
Rep. By its Executive Engineer /
Administrative Officer (General),
Villupuram Housing Unit,
Villupuram 605 602.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to consider the representations of the petitioner dated 29.04.2013, 10.01.2014 and 23.04.2015 and to accept the sale consideration for the allotment of housing in proceedings vide letter No.R-10/M-1-172/2000 dated 10.03.2010 with all applicable interests and costs expeditiously in accordance with law.

Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.V.Anandamoorthy

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims that her husband late K.Dhanasingh was the allotted a plot bearing No.172 MIG at Velichammandalam, Cuddalore District vide proceedings No.R-10/M-1-172/2000 dated 10.03.2010 by the 1st respondent. The petitioner would state that the tentative cost of the plot was fixed as Rs.8,27,000/- and her husband was called upon to pay an advance [EMD] representing 35% of the cost of the plot and the balance was directed to be paid in equated monthly instalments [EMI] at Rs.8,985/-for a period of 11 years [i.e., 132 months]. In the mean time, according to the petitioner, her husband

died and due to poor financial condition, she could not able to pay the EMD on time and therefore, she approached the respondents with a request to reduce the cost of the plot by taking into account her poor economic condition by way of representation dated 29.04.2013. But, there was no response for the same and hence, she has again sent a representations on 10.01.2014 and once again on 23.04.2015. Even after that since there was no response, she came forward with this writ petition.

3. This court heard the submissions of Mr.D.S.Rajasekaran, the learned counsel appearing for the petitioner and Mr.V.Anandamoorthy the learned counsel who accepts notice for the respondents 1 and 2 and also perused the records carefully.

4. This court, taking into consideration of the limited scope of the prayer sought for and without going into merits of the claim made by the petitioner, directs the 1st respondent to consider the representations of the petitioner dated 29.04.2013, 10.01.2014 and 23.04.2015 on merits and in accordance with law and pass appropriate orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk
To

- 1.The Chairman, TNHB, Nandanam,
Anna Salai, Chennai 600 035.
- 2.The Executive Engineer /
Administrative Officer (General), TNHB,
Villupuram Housing Unit,
Villupuram 605 602.

+1cc to M/s.V. Anandha Murhty, Advocate, S.R.No.33704

RSI (CO)
EU(16/07/2015)

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