

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7055 of 2015 & MP.No.1/2015

S.Arunkumar

..

Petitioner

Versus

1. The Chairman,
Tamil Nadu Housing Board,
Annasalai, Nandanam,
Chennai - 600 035.
2. The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Poonamallee, Chennai - 600 056.
3. The Manager,
Sales and Service,
Tamil Nadu Housing Board,
Thirumazhisai Satellite City Division,
Thirumazhisai, Chennai.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS forbearing the respondents from in any way conducting open auction sale scheduled to be conducted on 17.03.2015 in so far as the plot No.R-16, KKLR Scheme, Kakkalur Village, Thirumazhisai Satellite City Division, is concern and further directing the respondent to consider the representation of the petitioner dated 01.12.2014 submitted based on the letter of the 2nd respondent No.Thi.Thu.Na.Ko/A1/5846/11, dated 18.11.2014.

For Petitioner : Mr.K.Selvaraj

For Respondents: Mr.V.Anandhamurthy,
Standing Counsel

ORDER

Heard Mr.K.Selvaraj, learned counsel for the petitioner and Mr.V.Anandhamurthy, learned Standing Counsel accepting notice on behalf of the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner seeks for issuance of Writ of Mandamus to forbear the respondents from any way conducting an open auction sale on 17.03.2015 in respect of plot No.R-16, KKLR Scheme, Kakkalur Village, Thirumazhisai Satellite City Division and to consider the representation of the petitioner dated 01.12.2014.

3. It appears that the petitioner was allotted the said plot during 2011 vide order of allotment dated 28.12.2011. The tentative cost of the plot was fixed and the petitioner did not pay the required amount within the time prescribed. Consequently, proceedings were taken to cancel the allotment. However, one more opportunity was given to the petitioner vide proceedings dated 18.11.2014 giving him an option to pay the entire amount of Rs.9,15,500/- after deducting the amount already paid by the petitioner being a sum of Rs.3,77,500/-.

4. The petitioner has now sought for reconsidering the said demand and has given a representation on 01.12.2014. Since the same is pending before the authority and fearing that the plot will be sold in auction sale, the petitioner is before this court.

5. In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the 2nd respondent to consider the representation of the petitioner dated 01.12.2014 on merits and in accordance with law and pass appropriate orders within a period of one week from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS-III)

Dt:13/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Chairman,
Tamil Nadu Housing Board,
Annasalai, Nandanam,
Chennai - 600 035.

2. The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Poonamallee, Chennai - 600 056.

3. The Manager,
Sales and Service,
Tamil Nadu Housing Board,
Thirumazhisai Satellite City Division,
Thirumazhisai, Chennai.

+ 1 cc to Mr.K.Selvaraj, Advocate SR 14267

rj(co)
prk13/3

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