

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20801/2016

K.Sarala

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Petitioner

Versus

1.The Managing Director
Tamilnadu Housing Board,
Nandanam, Chennai-35.

2.The Executive Engineer/Administrative
Officer, Tamilnadu Housing Board,
Villupuram Division, Villupuram. ..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents 1 and 2 to hand over the vacant plot [Plot No.176] allotted to the petitioner or in alternate to allot any of the vacant plot available in the TNHB Salamedu Scheme, Villupuram District.

For Petitioner : Mr.S.Sivakumar
For RR 1 & 2 : Mr.V.Anandamoorthy

ORDER

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

2 The petitioner would state that she made an application to the Housing Board for allotment of plot/housing site and vide proceedings / Allotment Order dated 30.10.2012, the petitioner was allotted one plot in HIG-176 by way of Lease-cum-Sale basis for a total sale consideration of Rs.8,69,000/- and the total extent of the plot is 2894 sq.ft. The petitioner was directed to pay a sum of Rs.3,47,600/- by way of deposit with a further direction that the remaining amount has to be paid within a period of eight years in equal monthly instalments of Rs.8100/- p.m. According to the petitioner, she is regularly paying the said instalments without any default and there is no arrears as on date. The grievance expressed by the petitioner is that the 2nd respondent sent a communication dated 27.06.2013 for the

purpose of measuring the plot and advised the petitioner to avail the services of a Surveyor attached to TNHB to do so. The petitioner repeatedly making attempts to get the services of the Surveyor attached to TNHB and she came to know that an individual had encroached upon six metres of the plot allotted to her and had put up a superstructure and despite repeatedly approaching the respondents, the Surveyor has not been deputed. The petitioner, in this regard, has also submitted a representation dated 08.02.2013 and since no steps have been taken to dispose of the petitioner's representation, she came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.V.Anandmoorthy, learned Standing Counsel who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 08.02.2013 on merits and in accordance with law, after putting on notice the person/s concerned and pass orders 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 as well as to the person/s concerned.

5 The writ petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

ap

To

1.The Managing Director
Tamilnadu Housing Board,
Nandanam, Chennai-35.

2.The Executive Engineer/Administrative
Officer, Tamilnadu Housing Board,
Villupuram Division, Villupuram.

+1 cc to Mr.S.Sivakumar Advocate sr.34023

+1 cc to Mr.V.Anandamoorthy Advocate sr.33941

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