

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.10.2016
CORAM
THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.No.2638 of 2013
and M.P.No.1 of 2013

K.Namashivayam .. Petitioner
rep.by his Power of Attorney S. Baskaran

Vs

- 1.The Chairman,
Tamil Nadu Housing Board,
No.49, Anna Salai,
Nandanam, Chennai 35.
- 2.The Executive Engineer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Chennai-35.
- 3.The Assistant Revenue Officer,
and Competent Authority,
Special Division III,
Tamil Nadu Housing Board,
Anna Nagar, Chennai-40. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents 1 and 2 to receive the balance cost of Rs.10,797/- to be paid by the petitioner and execute the sale deed in favour of the petitioner in respect of the property situated at Plot No.1/38, LIG Manali, Phase II Scheme, Chennai to an extent of 960 sq.ft.

For petitioner : Mr.J.Nandagopal
For R1 to R3 : Mr.Anandha murthy, SC for TNHB

ORDER

The petition has been filed seeking for a direction to the respondents 1 and 2 to receive the balance cost of Rs.10,797/- to be paid by the petitioner and execute the sale deed in favour of the petitioner in respect of the property situated at Plot No.1/38, LIG Manali, Phase II Scheme, Chennai measuring an extent of 960 sq.ft.

2.By an order dated 29.01.1996, the respondents had cancelled the allotment to the petitioner and subsequent order

dated 21.07.2010, the Vth Revocation committee resolved to revoke the cancellation on payment of cost and 50% of balance amount as penalty along with revocation fee of Rs.1,000/-.

3. The learned counsel appearing for the petitioner submits that the petitioner is ready to pay the necessary payment as demanded by the respondent and further submits that he has already sent a representation to the respondent, which he requests for a direction to consider the representation.

4. The learned counsel for the respondents would submit that the petitioner is only a power agent and that the original allottee be directed to produce his life certificate along with revocation fee demanded by them and other documents as required.

5. In view of the same, there shall be a direction to the second respondent to consider the representation made by the petitioner dated 25.06.2013 on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order in the light of the respondents' submission in para-4 above. The respondents are also directed to give a consolidated statement of all the payments and documents to be furnished by the petitioner.

With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

kkd

To

- 1.The Chairman,
Tamil Nadu Housing Board,
No.49, Anna Salai,
Nandanam, Chennai 35.
- 2.The Executive Engineer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Chennai-35.

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3.The Assistant Revenue Officer,
and Competent Authority,
Special Division III,
Tamil Nadu Housing Board,
Anna Nagar, Chennai-40. .

+1cc to Mr.J. Nandagopal, Advocate, S.R.No.59938

sk(CO)
md(25/11/2016)

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