

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.10.2018
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN
W.P.No. 14844 of 2018

R. Sunderesan

Petitioner

Vs

1. The Managing Director
Tamil Nadu Housing Board
493, Anna Salai
Nandanam, Chennai 35

2. The Executive Engineer cum
Administrative Officer
Erode Housing Board Division
Erode

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue writ of Mandamus, directing the respondents to execute sale deed in favour of the petitioner for the property situated at Shop No.S4, Kollampalayam scheme division 2, 43 LIG, Erode Housing Board Division, Tamil Nadu Housing Board, Karur Bye Pass Road, Molagoundanpalayam Pirivu Road, Erode-638002.

For Petitioner : Ms.R. Poornima

For Respondents: Mr. V. Anandhamoorthy

ORDER

The relief sought for in the present writ petition is to direct the respondents to execute a sale deed in favour of the petitioner for the property situated at Shop No.S4, Kollampalayam scheme Division 2, 43 LIG, Erode Housing Board Division, Tamil Nadu Housing Board, Molagoundanpalayam Pirivu Road, Erode-638002.

2. Today, when the matter is taken up for consideration, the learned counsel for the respondents produced a copy of the communication issued by the second respondent, wherein, it has been stated as follows :-

"Further, the allottee was requested vide Lr. No.R8/1862/2000, dated 18.04.2000, 07.06.2000, 14.09.2000, 01.11.2000, 08.01.2001, 02.03.2001, 09.11.2001, 22.01.2002, 12.06.2002, 04.01.2001 & 27.09.2003, to pay the balance cost with interest; otherwise the allotment will be cancelled. But the allottee has not paid the amount. But the allottee has paid the Balance Cost only on 29.04.2006.

If the allottee has not paid the cost within the stipulated period, the allotment should be cancelled and brought to the vacant list and sold to the general public by auction. But in this case, the Erode Housing Unit officials has not cancelled the allotted shop site and accepted the amount after lapse of 6 years from the date of allotment.

On payment of the full cost of the Shop Site from the allottee, the orders was requested from the Board for issue of sale deed."

He further submitted that the respondents would register the sale deed pertaining to the aforesaid property in favour of the petitioner within a period of two weeks.

3. Recording the submissions so made by the learned counsel for the respondents, the writ petition stands disposed of, directing the respondents to register the sale deed in favour of the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

vsi 2

To

1. The Managing Director
Tamil Nadu Housing Board
493, Anna Salai
Nandanam, Chennai 35

2. The Executive Engineer cum
Administrative Officer
Erode Housing Board Division
Erode

+1cc to Mr.R.Poornima, Advocate, S.R.No. 71735
+1cc to Mr.V.Anandhamurthy, Advocate, S.R.No. 71794

W.P.No. 14844 of 2018

VGII (CO)
GN (26/11/2018)