



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED :11.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.16503 of 2009  
and M.P.Nos.2 and 3 of 2009

N. Ramachandran

...Petitioner

vs.

1. The Chairman and Managing Director,  
Tamil Nadu Housing Board,  
Nandanam,  
Chennai - 600 035

2. The Executive Engineer &  
Administrative Officer,  
Tamil Nadu Housing Board,  
Hosur Housing Unit,  
Bagallur Road,  
Hosur - 635 109

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records on the file of the second respondent bearing letter No.R5/10885/2006 dated 09.02.09 and quash the same and consequently direct the respondents to hand over the possession of the commercial plot No.732A having an extent of 2519 sq.ft at NHS Scheme at Virupakshipuram, Hosur to the petitioner and receive the balance of auction amount from the petitioner.

For Petitioner : Mr.Govi Ganesan

For Respondents: Mr.R.Bharathkumar

ORDER

The petitioner filed the present Writ Petition praying to issue a Writ of Certiorarified Mandamus to call for the records on the file of the second respondent bearing letter No.R5/10885/2006 dated 09.02.09 and quash the same and consequently direct the respondents to hand over the possession of the commercial plot No.732A having an extent of 2519 sq.ft at NHS Scheme at Virupakshipuram, Hosur to the petitioner and receive the balance of auction amount from the petitioner.



WEB CTS

2. The case of the petitioner is that the respondents have called for applications for allotment of plots in their project at Virupakshipuram, Hosur. The petitioner had applied for purchase of Commercial Plot No.732-A at NHS Scheme at Virupakshipuram, Hosur along with EMD of Rs.2,40,350/-.

3. The petitioner was allotted commercial Plot No.732 A having an extent of 2519 sq.ft at NHS Scheme at Virupakshipuram, Hosur in the respondents' project. The petitioner has not paid the instalment, for which, the allotment was cancelled, against which, the present writ petition is filed seeking for the above relief.

4. During the course of hearing, the learned counsel for the respondents stated that on cancellation of allotment, the allottee can file an application for revocation of cancellation, which is to be considered by a Committee constituted for this purpose and the Board in its Resolution No.9.05 dated 30.01.2003 has recommended for the formation of a Revocation Committee with Membership of Managing Director, Secretary and Personnel Officer, Chief Engineer, Financial Adviser as Members and Chief Revenue Officer. The Revocation Committee deals with the matters relating to revocation of cancellation of allotments of Plots/Houses/Flats/Commercial, Institutional, Religious, School and other sites, cancelled due to non-payment of monthly instalment arrears.

5. In view of the above, without going into the merits of the case, I am inclined to grant liberty to the petitioner to approach the Committee for consideration of revocation of the order of cancellation. If any application is filed by the petitioner, the Committee shall consider the same and pass orders on merits and in accordance with law as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-  
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Chairman and Managing Director,  
Tamil Nadu Housing Board,  
Nandanam,  
Chennai - 600 035.



2. The Executive Engineer &  
Administrative Officer,  
Tamil Nadu Housing Board,  
Hosur Housing Unit,  
Bagallur Road,  
Hosur - 635 109

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.58868  
+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.59462

W.P.No.16503/2009

SSP (CO)

RRS (08/08/2019)