

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6251 of 2019

A.Thiyagarajan

...Petitioner

Vs.

1.The Managing Director
Tamil Nadu Housing Board
493, Anna Salai,
Nandanam, Chennai-600 035.

2.The Executive Engineer cum Administrative Officer
Tamil Nadu Housing Board
Salem.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to allot Plot No.D-11, TNHB, Narasingapuram Post, Attur Taluk, Salem District in favour of the petitioner on receipt of the sale consideration towards the above Plot based on the petitioner's representation dated 12.07.2018.

For Petitioner : Mr.M.Rajendiran

For Respondents: Mr.V.Anandamoorthy
standing counsel

O R D E R

Mr.V.Anandamoorthy, learned standing counsel takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to allot Plot No.D-11, TNHB, Narasingapuram Post, Attur Taluk, Salem District in favour of the petitioner on receipt of the sale consideration towards the above Plot, based on his representation dated 12.07.2018.

3. The case of the petitioner is that his land was acquired by the Tamil Nadu Housing Board on 20.05.1985. After acquisition, the petitioner's father purchased Plot No.D-10 measuring an extent of 600 sq.ft in TNHB, Narasingapuram Post, Attur Taluk, Salem District from the Tamil Nadu Housing Board on

30.06.2011 and the same is in possession and enjoyment of the petitioner. Thereafter, the petitioner made several representations to the respondents to allot the Plot No.D-11, which is adjacent to his land, measuring an extent of 600 sq.ft, in TNHB, Narasingapuram Post, Attur Taluk, Salem District in his favour. Now, the grievance of the petitioner is that the respondents has not considered his request so far.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same and pass appropriate orders on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representation of the petitioner dated 12.07.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

mk

To

1.The Managing Director
Tamil Nadu Housing Board
493, Anna Salai,
Nandanam, Chennai-600 035.

2.The Executive Engineer cum Administrative Officer
Tamil Nadu Housing Board
Salem.

+1 CC to Mr.M.Rajendiran, Advocate sr 20486.

+1 CC to Mr.V.Anandamoorthy, Advocate sr 20723.

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SP(18/03/2019)