

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.04.2019
CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.No.10258 of 2019

S.Nachimuthu

...Petitioner

Vs.

1.The Principal Secretary to Government
Housing and Urban Development Department
Secretariat
Chennai-600 009.

2.The Managing Director
Tamil Nadu Housing Board
43, Anna Salai,
Nandhanam, Chennai-600 035.

3.The Executive Engineer and Administrative Officer
Tamil Nadu Housing Board
Coimbatore Housing Unit
Tatabad, Coimbatore-12.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to re-allot the house bearing House Number N-134 situated at Tamil Nadu Housing Board, Kovai Puthur in Coimbatore to the petitioner, by considering the petitioner's representation dated 14.08.2018.

For Petitioner : Mr.K.Kathiresan

For Respondents: Mr.S.N.Parthasarathi

Government Advocate for R1

Mr.R.Bharath Kumar

standing counsel for R2 & R3

O R D E R

Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the first respondent. Mr.R.Bharathkumar, learned counsel takes notice for the respondents 2 & 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to re-allot the house bearing House Number N-134 situated at Tamil Nadu Housing Board, Kovai Puthur, Coimbatore

District to him, by considering his representation dated 14.08.2018.

3. Heard both sides.

4. It seems that the very same property viz., House Number N-134 situated at Tamil Nadu Housing Board, Kovai Puthur, Coimbatore District, was already allotted to the petitioner as early as on 16.12.2010 and however, the petitioner, by his communication dated 18.03.2011 intimated the Tamil Nadu Housing Board, his desire not to purchase the same due to financial difficulties. After having intimated so on 18.03.2011, the petitioner, now seeks for re-allotment of the said property to the petitioner once again by way of his representation dated 14.08.2018.

5. The learned standing counsel for the Tamil Nadu Housing Board submitted that since the petitioner has decided not to purchase the plot, the same was allotted to some third parties.

6. When such being the facts and circumstances, I do not think that the petitioner is entitled to seek the relief as sought for in this writ petition. Accordingly, this writ petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Principal Secretary to Government
Housing and Urban Development Department
Secretariat
Chennai-600 009.

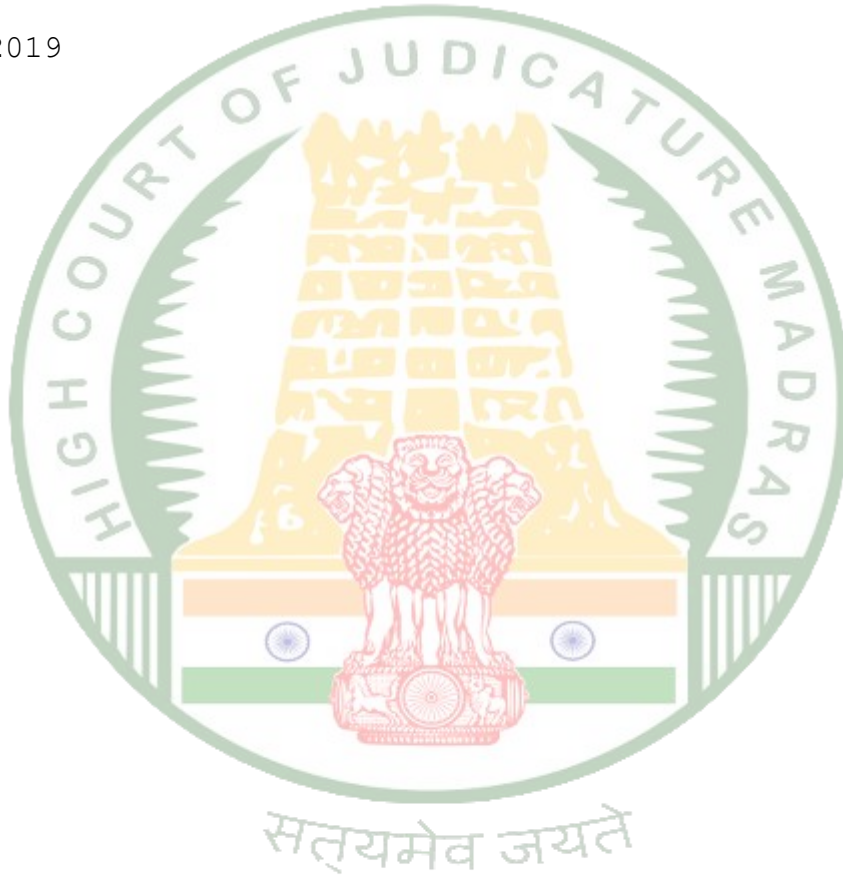
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3.The Executive Engineer and Administrative Officer
Tamil Nadu Housing Board
Coimbatore Housing Unit
Tatabad, Coimbatore-12.

+1cc to Mr.K.Kathiresan, Advocate sr.33111
+1cc to Mr.R.Bharathkumar, Advocate sr.34519
+1cc to Government Pleader sr.34684

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