

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.9175 of 2014 and M.P.No.1 of 2014

M.Arumugham

...PETITIONER

Vs.

1. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai - 35.
2. The Manager,
Sales and Allotment Department,
Tamil Nadu Housing Board,
Thirumangalam, Mugappair Division,
Chennai 600 101.
3. The Executive Engineer,
Tamil Nadu Housing Board,
Thirumangalam, Mugappair Division,
Chennai 600 101.
4. K.Chandran

...RESPONDENTS

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 24.5.2012 and 25.6.2012 and thereby direct the respondents to execute the sale deed in his favour in respect of Plot No.9071, EWS B Type, comprised in S.No.582/2 (Part) of Ayappakkam Village, Ambattur Taluk, Tiruvallur District totally to an extent of 40 sq.m. within a stipulated period.

For Petitioner : Mr.A.Rajeshkanna

For Respondents 1 to 3 : Mr.V.Anandhamoorthy

For Respondent No.4 : No appearance

O R D E R

According to the petitioner, petitioner has filed a writ petition for direction to consider the petitioner's representation, dated 24.5.2012 and 25.6.2012 to execute the sale deed in his favour, in respect of plot No.9071, EWS B Type, comprised in S.No.582/2 (Part) of Ayappakkam Village, Ambattur Taluk, Tiruvallur District totally to an extent of 40 sq.m. within a stipulated period.

2. Counter has been filed by the third respondent stating that there is no privity of contract between the petitioner and the Tamil Nadu Housing Board. When the petitioner is no way connected with the allotment of plot in question, the petitioner has no locus standi to seek the aforesaid prayer.

3. As rightly pointed out by the third respondent in the counter, the petitioner cannot seek remedy for execution of sale deed when there is no privity of contract between the petitioner and the respondent Board. However, it is open to the petitioner to seek remedy before the appropriate forum if so advised.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

vaan

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

- 1.The Managing Director,
Tamil Nadu Housing Board, Nandanam, Chennai - 35.
- 2.The Manager,
Sales and Allotment Department,
Tamil Nadu Housing Board, Thirumangalam,
Mugappair Division, Chennai 600 101.

3.The Executive Engineer,
Tamil Nadu Housing Board, Thirumangalam,
Mugappair Division, Chennai 600 101.

+1cc to Mr.V.Anandhamurthy, Advocate, SR.NO.11018

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Kak (14/03/2019)



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