



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 21358 of 2019

Su. Sabayanayagam

... Petitioner

-vs-

1. The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Salem Housing Unit,
Ayyan Thirumaligai Road,
Salem - 636 008.

2. The Manager,
Sales and Service,
Tamil Nadu Housing Board,
Salem Housing Unit,
Ayyan Thirumaligai Road,
Salem - 636 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents authority to pass orders on the Petitioner's Representations dated 02.05.2019 and 30.05.2019 in consonance with Letter No. R4/7269-A/2012, dated 07.05.2019 issued by the Second Respondent.

For Petitioner : Mr. J. Arun Prasad

For Respondents : Mr. R. Bharath Kumar,
Standing Counsel

O R D E R

Heard Mr. J. Arun Prasad, Learned Counsel for the Petitioner and Mr. R. Bharath Kumar, Learned Standing Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner was allotted flat No. D-2 in the Second Floor measuring an extent of 1064 sq. ft. with an extent of 709



sq. ft. undivided share of land under the Azhagapuram Self-Finance Scheme Part-III in Salem conducted by the Respondents, viz., Tamil Nadu Housing Board.

3. According to the Respondents, the Petitioner ought to have paid the stipulated installments on the due dates, and as the Petitioner failed to do so, the construction could not be completed on the agreed date. It is further stated that the Second Respondent had sent a letter No. R4/7269-A/2012 dated 07.05.2019 to the Petitioner requiring him to pay a sum of Rs.60,21,558/-, which was due as on 22.04.2019, within a period of one week failing which it was informed that the allotment would be cancelled.

4. At that stage, the Petitioner appears to have made a representation dated 30.05.2019 calling upon the Respondents to furnish accounts showing the calculations of the amount due. As there had not been any response for the same, the present Writ Petition has been filed for directing the Respondents to pass orders on that representation in consonance with letter No. R4/7269-A/2012 dated 07.05.2019 sent by the Second Respondent.

5. This Court without expressing any view on the correctness or entitlement of the rival contentions of the parties, directs the Respondents to furnish the working-sheet showing the calculation for the amount claimed from the Petitioner in the letter No. R4/7269-A/2012 dated 07.05.2019 sent by the Second Respondent, which shall contain credits for payments made and the details of interest charged for delayed payment of installments, under written acknowledgment and file a report of compliance before the Registrar (Judicial) of this Court by 31.01.2020.

6. The Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

gsa/vjt

To

1. The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Salem Housing Unit,
Ayyan Thirumaligai Road,
Salem - 636 008.



2. The Manager,
Sales and Service,
Tamil Nadu Housing Board,
Salem Housing Unit,
Ayyan Thirumaligai Road,
Salem - 636 008.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+1cc to Mr.J.Arun Prasad, Advocate SR.86781
+1cc to Mr.R.Bharath Kumar, Advocate SR.87132

W.P. No. 21358 of 2019

BS (CO)
CB(09/01/2020)