

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 26815 OF 2019

ORDER :

Petitioner challenges the final notice issued by the 3rd respondent - Executive Engineer, dated 23.10.2019.

Heard learned counsel for the petitioner as well as learned Standing Counsel for Respondents 2 and 3.

The facts are not in dispute. The petitioner was allotted a tenement i.e. LIG-A type flat of 512 square feet at Pocharam under 'Hire Purchase Scheme' in the construction made by the 2nd respondent Board and entered into an agreement in the name and style 'agreement for sale of multi-storied flats on hire purchase category'. Apart from making down payment of Rs.2 lacs, the petitioner was required to pay total sum of Rs.3,12,000/- in 180 instalments for 15 years at Rs.3,932/- per month. The Hire Purchase is also saddled with interest at 12% per annum and in the event of failure, the petitioner is required to pay 12% penal interest.

Though it is the contention of the petitioner that she had made certain payments and the same have not been accounted for by the respondent Board, after issuance of the impugned notice, dated 23.10.2019, the petitioner was issued yet another notice on 28.11.2019 directing to submit the proof of payment.

Since the respondent authorities themselves have come forward to give credit to the amounts already paid and there being no dispute with respect to the agreement, the Writ Petition is disposed of with a direction to the respondents to give credit to the

amounts already paid by the petitioner, duly specifying the balance amount payable by her. As the petitioner, admittedly, had not paid some instalments and that the demand was made after a long time, she be given a reasonable time to make payment of the balance amount and comply with the demand. No costs.

The miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

04th December 2019

ksld

