

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.25778 of 2016
W.M.P.No.22092 of 2016

Dr.D.Venkatesan

...Petitioner

Vs

The Manager,
Marketing & Service Special Division-I
Tamil Nadu Housing Board,
Anna Nagar Western Extension,
J.J. Nagar Division

...Respondent

* * *

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorarified mandamus, calling for the records relating to the respondent's impugned notice dated 20.06.2016 in Letter No. JJA5/ 243/ 1992 in respect of petitioner's property bearing No.HIG 12/2' Ground Floor, Mogappair East, Anna Nagar Western Extension, Chennai- 600 058 (the Apartment complex was subsequently named as Vilot Apartment) issued by the Respondent and quash the impugned notice and consequently direct the Respondent to execute Sale Deed in his favour in respect of No.HIG 12/2, Ground Floor, Mogappair East, Anna Nagar Western Extension, Chennai-600 058 (the Apartment complex was subsequently named as Vilot Apartment).

For Petitioner : Mr.M.L.Sampath

For Respondent : Mr.R.Bharathkumar

ORDER

This Writ Petition is heard through Video Conference on account of COVID-19 pandemic situation.

2. The prayer sought for in this writ petition is to call for the records relating to the impugned notice dated 20.06.2016 in Letter No. JJA5/ 243/ 1992 in respect of the

petitioner's property, bearing No.HIG, 12/2, Ground Floor, Mogappair East, Anna Nagar Western Extension, Chennai- 600 058 (the Apartment complex was subsequently named as Vilot Apartment) issued by the respondent and quash the same and consequently for a direction to the respondent to execute the Sale Deed in his favour.

3. As per the impugned notice, the petitioner was called upon to pay a sum of Rs.1,82,255/- within a period of 21 days from the date of receipt of the said demand.

4. After deliberations, in letter No.JJA5/243/92 dated 23.09.2017, in terms of G.O.(Ms).No.104, Housing and Urban Development Department dated 15.06.2017, wherein, the Government extended further one year period for waiver of interest relief, the respondent had given interest relief on penal interest, capitalization and interest on difference in land cost to the petitioner.

5. Based on the above said letter, the learned counsel appearing for the Housing Board has produced the calculation memo indicating the outstanding due by the petitioner, which is Rs.99,666.83, till March 2020. The said amount is payable in full quit by the petitioner, upon payment of which, the Housing Board will execute the sale deed in favour of the petitioner. It is also stated that the said amount should be paid by the petitioner on or before 30.09.2020. The petitioner is also agreeable for the same.

6. Accordingly, the petitioner is directed to deposit the said sum of Rs.96,666.83 on or before 30.09.2020 and obtain the sale deed from the Housing Board.

7. Recording the above arrangements, the Writ Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gg/srn

To

The Manager,
Marketing & Service Special Division-I
Tamil Nadu Housing Board,
Anna Nagar Western Extension,
J.J. Nagar Division

+1cc to Mr.Bharath kumar, Advocate SR.31483

W.P.No.25778 of 2016

MG (CO)
CB (01/10/2020)



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