



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.10990 of 2015

T.Nirmala

... Petitioner

Vs.

1.Tamilnadu Housing Board,
Rep by its Chairman Cum Managing Director,
Nandanam,
Annasalai,
Chennai - 600035.

2.Tamil Nadu Housing Board
Rep by its Executive Engineer / Administrative
Officer (General)
Villupuram Housing Unit,
Villupuram - 505602.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to consider and pass order on the representation dated 02.05.2013 and 16.03.2015 to accept the sale consideration for the allotment of house in proceeding vide letter No.R-10/M-1-177/2000 dated 10.03.2010 with all applicable interest and cost.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.R.Bharath Kumar

O R D E R

The relief sought for in the present Writ Petition is to direct the 1st respondent to consider and pass order on the representations dated 02.05.2013 and 16.03.2015 to accept the sale consideration for the allotment of house in proceedings dated 10.03.2010 with all applicable interest and costs.

2. The petitioner states that the respondents allotted the house in Door No.177 at Velichammandalam, Cuddalore District in proceedings dated 10.03.2010. The petitioner was called upon to pay an advance amount of Rs.2,91,550/- and the total cost fixed by the Tamil Nadu Housing Board was Rs.8,33,000/- (tentative cost). Monthly EMI of Rs.9,050/- was fixed for 11 years i.e., 132 months. The petitioner had failed to pay the installments. It is brought to the notice



of the Court that even the initial advance amount has not been paid by the petitioner.

3. The learned counsel appearing on behalf of the respondent Housing Board at the outset contended that the petitioner has not even paid a Rupee towards cost of the house allotted in her favour in the year 2010. The petitioner was allotted with the said house under the Government Discretionary quota. However, the said scheme was also abolished with effect from 07.01.2011 vide G.O.No.6.

4. The learned counsel for the respondents further contend that after issuing an order of allotment in the year 2010, the petitioner has not paid any amount. Thus, the petitioner is not entitled for any relief.

5. In view of the fact that the petitioner has not paid any amount, the respondents are empowered to cancel the allotment order. If at all the petitioner is willing to purchase the subject property, it is for her to participate in the auction to be conducted by the Tamil Nadu Housing Board for the purpose of grant of allotment.

6. The Writ petitioner has not established any right for the purpose of considering the relief and consequently the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Chairman Cum Managing Director,
Tamilnadu Housing Board,
Nandanam, Annasalai,
Chennai - 600035.

2.The Executive Engineer / Administrative
Officer (General)
Tamil Nadu Housing Board
Villupuram Housing Unit,
Villupuram - 505602.

+1cc to Mr.D.S.Rajasekaran, Advocate SR. No.67320

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