



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos. 19569 and 19570 of 2015
and
W.M.P.No.16623, 16624, 16625, 16626 of 2018
and
M.P.No. 1 of 2015 [2MPs], 3 of 2015 [2MPs]

N.Chithra ...Petitioner in W.P.No.19569 of 2015

A.Saraswathi ...Petitioner in W.P.No.19570 of 2015

Vs

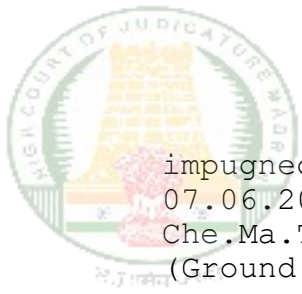
1.State of Tamil Nadu,
Represented by its Secretary,
Housing & Urban Development Department,
Secretariat, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.

3.The Executive Engineer cum
Administrative Officer,
Tamil Nadu Housing Board,
Hosur Housing Unit,
Hosur - 9, Krishnagiri District. ...Respondents in both WPs

PRAYER in W.P.No.19569 of 2015 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned Notification issued by the third respondent dated 07.06.2015 published in Daily Thanthi, made in Che.Ma.Tho.E/719/Varaigalai/2015, in so far as HIG flat No.40-A situate at A.Jettihalli Housing Unit, Dharmapuri concerned, to quash the same, consequently direct the respondents to fix the cost for the HIG. Flat No.40-A at A.Jettihalli Housing Unit, Dharmapuri and to receive the same from the petitioner by issuing the final allotment order.

PRAYER in W.P.No.19570 of 2015 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the



impugned Notification issued by the third respondent dated 07.06.2015 published in Daily Thanthi, made in Che.Ma.Tho.E/719/Varaigalai/2015, in so far as HIG flat No.44 (Ground Floor) situate at A.Jettihalli Housing Unit, Dharmapuri concerned, to quash the same, consequently direct the respondents 2 and 3 to fix the cost for the HIG. Flat No.44 (Ground Floor) at A.Jettihalli Housing Unit, Dharmapuri and to receive the same from the petitioner by issuing the final allotment order.

For Petitioners : Mr.P.Wilson
[In both WPs] Senior Counsel
For M/s.P.Wilson Associates

For Respondents : Mr.K.M.D.Muhilan
[In both WPs] Government Advocate
[For R1]

Mr.R.Bharathkumar
[For R2 and R3]

COMMON ORDER

The Order impugned dated 07.06.2015 issued by the third respondent is sought to be quashed in the both writ petitions.

2. The impugned order is a notification, inviting application from the public for allotment of flats under higher income group. The writ petitions are pending for about six years.

3. The learned Senior counsel appearing on behalf of the petitioners made a submission that the old scheme was abolished and a new scheme was formulated. Under the new scheme, the petitioner in W.P.No.19569 of 2015 was allotted with Flat No.87 and the petitioner in W.P.No.19570 of 2015 was allotted with Flat No.83. Based on the telephonic message received from Thiru.R.BharathKumar, Advocate / Standing Counsel for Tamil Nadu Housing Board dated 21.10.2021, the third respondent issued Letter No.H.R.5/2958/2013 dated 25.10.2021. In the said letter, the revised cost of the flat is indicated as Rs.53,01,370/- for HIG-83 and Rs.53,01,370/- for HIG-87, in respect of this two writ petitioners.

4. The learned Senior counsel appearing on behalf of the petitioners made a submission that the petitioners are willing to accept the revised flat cost and pay the same to the Housing Board for getting allotment.



5. The learned counsel appearing on behalf of the respondent-Housing Board, made a submission that in this regard, a confirmation letter is to be given by the petitioners and based on the letter, the Housing Board has to take a decision.

6. In view of the facts and circumstances, the petitioners are at liberty to submit a letter of consent, accepting the flat cost indicated in letter dated 25.10.2021 and on receipt of any such request letter from the petitioners, the respondent / Housing Board shall pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of the copy of representation from the petitioners.

7. With these directions, both the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Secretary,
State of Tamil Nadu,
Housing & Urban Development Department,
Secretariat, Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 035.
- 3.The Executive Engineer cum
Administrative Officer,
Tamil Nadu Housing Board,
Hosur Housing Unit,
Hosur - 9, Krishnagiri District.

+1cc to Mr.P.Wilson Associates, Advocate SR.No.56490

+2ccs to Mr.R.Bharath Kumar, Advocate SR.No.56577

+1cc to the Government Pleader SR.No.57144

W.P.Nos.19569 and 19570 of 2015

SPD(CO)
RVM(29/11/2021)