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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-09-2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NOS.23965 TO 23969 OF 2016

AND

W.M.P.NOS.20503 TO 20507 OF 2016

J.Palanivel Rajan @ Badri

... Petitioner in
W.P.No.23965 of 2016

J.Rajapalani @ Sabari

... Petitioner in
W.P.No.23966 of 2016

J.Radhika

... Petitioner in
W.P.No.23967 of 2016

J.Ranthakumari

... Petitioner in
W.P.No.23968 of 2016

A.Jayapal

... Petitioner in
W.P.No.23969 of 2016

.Vs.

The Chairman and Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai.

... Respondent-1 in all WPs

The Executive Engineer and
Administration Officer,
Tamil Nadu Housing Board,
Vellore Housing Division,
Sathuvachari,
Vellore - 9.

... Respondent-2 in all WPs

PRAYER:-

Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issuance of Writs of Certiorari and Mandamus, calling for the records in letter No.VS-1/9111/97, dated 28.12.2015 on the file of the second respondent and quash the same as illegal, incompetent and wholly



without jurisdiction and further direct the respondents to allot one plot to the petitioners in TNHB Neighbourhood Scheme at Vellore.

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For Petitioner : Ms.S.Sukanya
in all Wps For Mr.V.Raghavachari

For Respondents : Mr.R.Bharathkumar
in all Wps

C O M M O N O R D E R

The order dated 28.12.2015 passed by the second respondent, rejecting the claim of the writ petitioners for allotment of land under the Scheme, is under challenge in these writ petitions.

2. The petitioners state that the allotment belongs to their family were acquired by the Government for formation of Vellore Neighbourhood Scheme. However. the petitioners had received the compensation for the acquired land. Thereafter, the petitioners submitted an application to allot a land in their favour in the said Neighbourhood Scheme at Vellore. Since there was a vacant plot available, the said request made by the petitioners was rejected. Thus, the petitioners were constrained to move these writ petitions.

3. The learned counsel for the respondents states that with reference to Vellore Neighbourhood Scheme, the entire plots were already sold and in respect of the other Scheme under the Higher Income Group, the Tamil Nadu Housing Board is proposed to issue Notification and in the event of issuing any such Notification, the petitioners may submit their application for such allotment.

4. The learned counsel for the petitioners states that there is a vacancy in the Vellore Neighbourhood Scheme. If at all any vacancy is available, then application from the petitioners may be received along with all other applications if any submitted by the other persons, the application of the petitioners is also to be considered as per the Rules in force.

5. This Court is of the considered opinion that the writ petitions were filed in the year 2016. Under these circumstances, if any such Housing Plot or House for allotment under the Scheme is notified by the respondents, then the petitioners are at liberty to submit an application and the said application is to be considered along with all other applications if the petitioners are otherwise eligible and qualified for such allotment.



6. With the above observations, the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chairman and Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai.
2. The Executive Engineer and
Administration Officer,
Tamil Nadu Housing Board,
Vellore Housing Division,
Sathuvachari,
Vellore - 9.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.48317
+1cc to Mr.R.Bharathkumar, Advocate, S.R.No.48697

W.P.Nos.23965 to 23969 of 2016

RR(CO)
PBS/29/10/2021