

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty Fifth day of June Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE ABDUL QUDDHOSE

WMP No.14081 of 2021

IN WP.8783/2021

S.SELVARASU

[PETITIONER]

Vs

1 THE TAMIL NADU HOUSING BOARD, [RESPONDENTS]
REP. BY ITS MANAGING DIRECTOR, 9TH FLOOR,
CMDA COMPLEX, E AND C MARKET ROAD, KOYAMBEDU,
CHENNAI 600 107.

2 THE EXECUTIVE ENGINEER,
SPECIAL PROJECTS DIVISION - II,
TAMIL NADU HOUSING BOARD, TNHB SHOPPING COMPLEX,
2ND FLOOR (RIGHT WING), TIRUMANGALAM
CHENNAI 600 101.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the order in WMP.No.12180 of 2021 in WP.No. 8783 of 2021 pronounced on 30.04.2021 by changing the date from 30.06.2021 to 30.08.2021 IN WMP.NO.14081 OF 2021.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.SWARNAM J RAJAGOPALAN, Advocate for the petitioner and of MR.R.BHARATHKUMAR Standing counsel on behalf of the 1 & 2 Respondents the court made the following order:-

This Court by its order dated 01.04.2021 in W.P. No.8783 of 2021 directed the petitioner to pay the balance sale consideration of Rs.48,00,000/- (Rupees forty eight lakhs only) to the respondent / Tamil Nadu Housing Board on or before 30.04.2021 and on receipt of the same on or before the stipulated date, the respondent / Tamil Nadu Housing Board was directed to execute a Sale Deed in favour of the petitioner.

2. Thereafter, the petitioner filed WMP No.12180 of 2021 seeking extension of time to pay the balance sale consideration. By a consent order, dated 30.04.2021 in WMP No.12180 of 2021, this Court granted extension of time for the petitioner to pay the entire sale consideration and the petitioner was directed to pay

the same on or before 30.06.2021 along with interest as per the requirements of the respondent / Tamil Nadu Housing Board.

3. Once again, the petitioner has now come forward with another Miscellaneous Petition viz., WMP No.14081 of 2021 seeking extension of time by another period of little more than two months on the ground that due to the present lock-down imposed by the Government, he has some difficulty in getting the housing loan disbursed from the State Bank of India, Anna Nagar Branch. He has stated in the affidavit that the Manager of the said branch, passed away due to Corona and there is also paucity of staff in the said branch and only due to the said reason, he is now seeking further extension of time. Further, he submitted that a copy of the affidavit filed in WMP No.14081 of 2021 has also been furnished to the respondent counsel.

4. Mr.R. Bharath Kumar, learned Standing counsel for the respondent / Tamil Nadu Housing Board, on instructions would submit that the Tamil Nadu Housing Board is not agreeable for an extension of two months but is agreeable only to extend the time by another period of two weeks and not more, subject to the condition that the petitioner pays an interest for the delayed period as agreed by him before this Court, which was recorded by this Court in its earlier order dated 30.04.2021.

5. After recording the submissions made by the respective learned counsels appearing on both sides, the following directions are issued by this Court :

a) the petitioner is granted extension of time to pay the balance sale consideration along with the interest for the delayed period, in compliance with the order dated 01.04.2021 passed by this Court in WP No.8783 of 2021 on or before 14.07.2021 to the respondent / Tamil Nadu Housing Board. However, it is made clear that if the petitioner fails to pay the balance sale consideration along with interest on or before the stipulated date, no further extension shall be granted by this Court.

b) on receipt of the balance consideration on or before 14.07.2021, the respondent / Tamil Nadu Housing Board shall execute the sale deed in favour of the petitioner.

6. With the aforesaid directions, this WMP is disposed of.

-sd/-

25/06/2021

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE MANAGING DIRECTOR,
TAMIL NADU HOUSING BOARD,
9TH FLOOR, CMDA COMPLEX, E AND C MARKET ROAD,
KOYAMBEDU, CHENNAI 600 107.

2 THE EXECUTIVE ENGINEER,
SPECIAL PROJECTS DIVISION - II, TAMIL NADU
HOUSING BOARD, TNHB SHOPPING COMPLEX, 2ND
FLOOR (RIGHT WING), TIRUMANGALAM
CHENNAI 600 101.

Order

in
WMP.14081/2021

in
WP.8783/2021

Date :25/06/2021

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