



WEB COPY



W.P. No.25221 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.25221 of 2014

and

M.P.No.1 of 2014

B.Prabha

... Petitioner

Vs

1.Tamil Nadu Housing Board,
Rep by its Chairman,
493, Anna Salai,
Nandanam – 600 035.

2.The Executive Engineer cum Administrative Officer,
Erode Housing Scheme,
Tamil Nadu Housing Board,
Erode – 638 009.

3.Subramani
(R3 is impleaded as per order dated 05.08.2016
by MJJ in M.P.No.1 of 2015 in
W.P.No.25221 of 2014).

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to execute a sale deed pertaining to House No.M156, situated in Village Survey No.515/4 and 516/4 in Periyasemur village, Erode Taluk situated in Erode Housing Board Scheme.

For Petitioner : Mrs.S.Narmadha Sampath
For Respondents : Mr.D.Veerasekaran
Standing Counsel
for R1 & R2

ORDER

This case is listed under the caption “for dismissal”. The learned counsel for the petitioner seeks time.

2.This writ petition has been filed for a mandamus, to direct the official respondents 1 and 2 to execute a sale deed pertaining to House No.M156, situated in Village Survey No.515/4 and 516/4 in Periyasemur village, Erode Taluk situated within Erode Housing Board Scheme.

3.The petitioner appears to have entered into a arrangement with the allottee, the wife of 3rd respondent herein who was subsequently impleaded.

However, there are no documents to substantiate that there are any arrangements



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for such transfer. If there is an agreement, it is open for the petitioner to file a suit for specific performance.

4.That apart, the allotment letter issued by the 1st and 2nd respondents to the wife of the 3rd respondent late Malarvizhi specifically states that the lessee shall not assign, sublet or part with the possession of the whole or any part of the property without prior written permission of the lessor.

5.Therefore, there is no merits in the present writ petition. It is however left open for the petitioner to work out his remedy in the manner known to law.

6.Accordingly, this writ petition stands dismissed. No costs.
Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No
Internet: Yes/No
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To

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C. SARAVANAN, J.

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