



WEB COPY



W.P.No.12142 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12142 of 2003

Dr.V.Kumaran

...Petitioner

Vs.

1.Tamil Nadu Housing Board,
Rep.by its Managing Director,
Nandanam,
Chennai – 600 035.

2.Tamil Nadu Housing Board,
Coimbatore Housing Unit,
Rep.by its Manager – Sales &
Allottee Service
Office of the Executive Engineer
and Administrative Officer,
Tatabad,
Coimbatore – 641 012.

3.Director of Medical Education,
D.M.S. Complex,
Chennai – 600 018.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the 2nd respondent vide his letter No.H-7/11288/93 dated 13.11.2002 and quash the same consequently forbear the respondents either



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in any way deducting any amount from the salary of the petitioner or collecting the alleged interest of Rs.2,00,765/- from the petitioner.

For Petitioner : No appearance
For R1 & R2 : Mr.D.Veerasekaran
For Tamil Nadu Housing Board
For R3 : Mr.T.Venkatesh Kumar
Special Government Pleader

ORDER

The order dated 13.11.2002 passed by the 2nd respondent / Tamil Nadu Housing Board is sought to be quashed in the present writ petition.

2. The writ petition was instituted in the year 2003 and now about 20 years lapsed.

3. The learned counsel appearing on behalf of the respondents / Tamil Nadu Housing Board made a submission that the petitioner was allotted HIG House, No.B245 at Ganapathy Block I to IV on 20.08.1996. The details of the cost was intimated to the writ petitioner. The petitioner instead of paying initial deposit from the date of 21 days, he paid the amount in different dates inspite of the reminders sent by the Board on several dates. The petitioner had not taken over the house despite several letters sent by



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the Board. The petitioner has stated that due to financial crisis, he was unable to pay the monthly installments and committed continuous default in payment of installments. Since the petitioner had not paid initial deposit and also the monthly installments, he became a chronic defaulter and the allotment was cancelled long back by the Tamil Nadu Housing Board. Subsequently, the said flat was sold to another person.

4. In view of the fact that the allotment granted in favour of the petitioner was cancelled and it was re-allotted to some other person, the interest amount is sought to be recovered through the impugned order.

5. If at all any grievance exists as of now to the writ petitioner regarding the interest portion, he is at liberty to approach the competent authorities.

6. As far as the allotment is concerned, it was cancelled and re-allotted to some other person and therefore, the petitioner is not entitled to seek further allotment of house in the Tamil Nadu Housing Board.



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7. With these clarifications, the writ petition stands disposed of. No costs.

13.04.2023

Index : Yes
Speaking order
Neutral Citation: Yes/No
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To

- 1.The Managing Director,
Tamil Nadu Housing Board,
Nandanam,
Chennai – 600 035.
- 2.The Manager – Sales &
Allottee Service,
Tamil Nadu Housing Board,
Coimbatore Housing Unit,
Office of the Executive Engineer
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S.M.SUBRAMANIAM, J.

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