



WEB COPY



W.P.No.26734 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.26734 of 2015

1. Mrs.Thangammal

2. S.Ebinezer

...Petitioners

-Vs-

1. The Managing Director,
Tamil Nadu Housing Board,
No.331, Anna Salai,
Nandanam, Chennai-35.

2. The Assistant Secretary,
(Allotment I), No.493, Anna Salai,
Nandanam, Chennai 35.

3. The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
J.J.Nagar Division, Thirumangalam,
Chennai-101.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the 2nd and 3rd respondents vide Lr.No. Allotment.I(3)/32119/13 dated 19.11.2014 and Letter No.J.J.A3/8140-B/2002 dated 19.8.2014 and quash the same, consequently directing the



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respondents to execute the sale deed in favour of the 1st and 2nd petitioner in respect of MIG Plot No.272-A in Mugappair Eri Scheme allotted to the 1st petitioner's husband Sarangapani vide allotment order E2/8140-B/02 dated 17.9.2012 by accepting the dues.

For Petitioners : Mr.R.Sathiya Raj

For Respondents :
(for R1 to R3) : Mr.D.Veerasekaran,
Standing Counsel for TNHB

ORDER

The order impugned dated 19.11.2014 says that the claim of the writ petitioner cannot be considered on account of the pendency of the appeal filed by the Tamil Nadu Housing Board before the Division Bench.

2.Now it is brought to the notice of this Court that the writ appeal was dismissed and the Housing Board preferred an appeal before the Hon'ble Supreme Court of India. The Apex Court granted an interim stay in favour of the Tamil Nadu Housing Board and the SLP is subjudiced. Therefore, the petitioners' claim at this juncture cannot be considered and it is to be considered by the Tamil Nadu Housing Board only after the disposal of the SLP which is now pending before the Hon'ble Supreme



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Court of India. Therefore, the petitioner is at liberty to pursue their remedy with the Tamil Nadu Housing Board after the disposal of the SLP before the Supreme Court.

3. With these observations, the writ petition stands **disposed of**. No costs.

15.03.2023

Index: Yes
Speaking order
Neutral Citation: Yes
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To

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S.M.SUBRAMANIAM, J.

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