



W.P.No.6468 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6468 of 2023

1.K.J.Shahuna

2. Z.K.Shahuna

. . . Petitioner

Vs.

The Tamil Nadu Housing Board,
Rep by its Chairman,
Anna Salai, Nandanam,
Chennai-600 035.

. . . Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue orders, directions or writs in particular a writ in the nature of Mandamus directing the respondent, the Tamil Nadu Housing Board to revise the sale consideration of Flat No.72/A, Old No.Z117, New No.63/1 at a reasonable level, holding the price Rs.1,06,08,000/- fixed by the Tamil Nadu Housing Board as unreasonable, unfair, unjust.

For petitioners : M/s.Krishna Vinchi

For Respondents : Mr.D.Veerasekaran,

Standing Counsel for TNEB



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ORDER

This Writ Petition has been filed for a direction to the respondent to revise the sale consideration of the subject Flat.

2. It is the case of the petitioners that they are the purchasers of the flat from one Mr. K.R.Subramaniam who is allottee by the Tamil Nadu Housing Board. Subsequently, the said allotment was canceled which resulted in filing of suit in O.S.6208 of 2008 against the wife of Subramaniam and the Tamil Nadu Housing Board, Anna Nagar Division, which was decreed protecting the petitioner's possession of the flat. Therefore, the petitioners made a representation to the Housing Board for allotment of the said flat, since, the same was not considered, the Writ Petition in W.P.No.40357 of 2016 was filed for a direction to consider the representation which was dismissed challenging the same, appeal was preferred in W.A.No.1153 of 2022 wherein a direction was issued to fix the cost of the flat, pursuant to which, the sale consideration of the flat has been fixed to the tune of Rs.1,06,08,000/-. Aggrieved by the same, the petitioner is before this Court praying to revise the sale consideration.



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3. Learned counsel for the petitioner submits that the petitioner is willing to deposit the entire amount as quoted by the respondent board towards sale consideration. Upon payment of sale consideration, the respondents may be directed to sale consideration.

4. Heard both sides.

5. In view of the fair stand taken by the learned counsel for the petitioner, this Court is inclined to issue a direction to the petitioner to deposit the entire amount towards sale consideration to the tune of Rs.1,06,08,000/- to the respondent board within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of payment of the said amount, the respondent board is directed to execute the sale deed in favour of the petitioner within a period of four weeks thereafter.

6. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

20.06.2023

Index : Yes / No

Internet : Yes / No



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Note to Office:

Issue order copy on 27.07.2023

To

The Tamil Nadu Housing Board,
Rep by its Chairman,
Anna Salai, Nandanam,
Chennai-600 035.



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M.DHANDAPANI, J

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