



W.P.No.16547 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.16547 of 2023

Nagaraja Reddy

...Petitioner

Vs.

1. The State Rep. by,
The Chairman,
Tamil Nadu Housing Board,
CMDA Complex, E & C Market Road,
Koyambedu, Chennai - 600 017.

2. The Executive Engineer cum Administrative Officer,
Tamil Nadu Housing Board,
Hosur Housing Division,
Bagalur Road, Hosur - 635 109.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to provide alternate suitable plot to build the house instead of existing allotment of Plot No.HIG -II-423 under Hire Purchase Scheme - Hosur which cannot be used to build the house pursuant to the petitioner's representation dated 07.03.2023.

For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mr.D.Veerasekaran, SC



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ORDER

This Writ petition has been filed seeking direction to the respondents to consider the petitioner's representation dated 07.03.2023 and to consequently, provide alternate suitable plot to build the house instead of existing allotment of Plot No.HIG-II-423 under Hire Purchase Scheme-Hosur.

2. Mr.D.Veerasekaran, learned Standing counsel takes notice for the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the 1st respondent issued a notification for allotment of house sites to the physically challenged people in Hosur area under Hire Purchase Scheme and the petitioner herein being a physically challenged person with 40% disability applied for the same by submitting an application dated 03.10.2022 and the petitioner was initially allotted with the Plot No.HIG-II-423 under the lottery method conducted by



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the 2nd respondent. When the petitioner visited the above said allotted plot, he came to know that, the plot was located in the rocky field and the same is not suitable for construction of any building/house. Immediately, the petitioner made a representation dated 07.03.2023 before the respondents, requesting allotment of alternative plot in his favour, which will be more suitable for him to construct a building/house. However, till date, no orders have been passed on the same. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 07.03.2023 and to consequently provide the petitioner with an alternate suitable plot under Hire Purchase Scheme-Hosur, in order to enable the petitioner to build a proper house, as expeditiously as possible.

5. Learned Standing counsel appearing for the respondents submitted that appropriate orders will be passed on the petitioner's representation dated 07.03.2023 within the time stipulated by this Court.



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6. In view of the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 07.03.2023 on merits and in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. Accordingly, this Writ petition stands disposed of. No costs.

05.06.2023

skt

NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

1. The State Rep. by,
The Chairman,
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2. The Executive Engineer cum Administrative Officer,
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M.DHANDAPANI, J.

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