



WA No.1844 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.1844 of 2022
and CMP No.13484 of 2022

1. The Chairman,
Tamilnadu Housing Board,
CMDA Building, E & C Market Road,
Koyambedu, Chennai-107.

2. The Executive Engineer
and Administrative Officer,
Hosur Housing Unit, Hosur-635 109.

.. Appellants

-vs-

Dr.Gnanasekaran

.. Respondent

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 12.12.2019 passed in W.P.No.27212 of 2016.

For the Appellants : Mr.R.Shanmugasundaram
Advocate General
assisted by Mr.D.Veerasekaran
and M/s A.G.Shakeena

For the Respondent : Mr.R.Veeramani

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JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.R.Shanmugasundaram, learned Advocate General for the appellants and Mr.R.Veeramani, learned counsel for the respondent.

2. The respondent had filed the writ petition thereby challenging the letter dated 27.06.2016 by virtue of which an amount of Rs.1,70,988/- (Rupees one lakh seventy thousand nine hundred and eighty eight only) was claimed. The learned Single Judge set aside the same and directed the present appellants to execute the sale deed.

3. The learned Advocate General submits that the amount was to be paid by the writ petitioner in November, 2009. The same was paid only in October, 2010. There was a delay of 11 months in paying the amount, as such the appellants are entitled for the delayed charges, interest and penal interest.



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4. It is pointed out by the learned counsel for the respondent/petitioner that it is only on 13.09.2010 the letter was given by the appellants to the present respondent to make the payment within 30 days and in October, 2010 the amount as demanded was paid.

5. It would appear that the possession of the house was required to be handed over in May 2011, but the same was handed over in 2015. Moreover, the amount has been paid by the present respondent pursuant to the letter dated 13.09.2010.

In light of the above, we do not find any error on the part of the learned Single Judge in passing the impugned order. The writ appeal as such is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

20.12.2023

Index : Yes/No
Neutral Citation : Yes/No



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

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