



WEB COPY



W.P.No.3786 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

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1. P.S.Duraipandian (died)
2. Jayanthi.D
3. Saraswathi
4. Yuvarani.D
5. Chellammal.D
- 6.Keerthana.D

[petitioners 2 to 6 impleaded as legal heirs vide order dated 15.03.2023 in W.M.P.No.8678 of 2023 in W.P.No.3786 of 2014

.. Petitioners

vs

1. The Secretary to Government
Housing and Urban Development Department
Fort St. George
Chennai – 600 009.
2. The Chairman
Tamil Nadu Housing Board
No.493, Anna Salai
Nandanam, Chennai – 600 035.
3. The Managing Director
Tamil Nadu Housing Board
No.493, Anna Salai, Nandanam
Chennai – 600 035.



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4. The Executive Engineer and
Administrative Officer
Tamil Nadu Housing Board
J.J.Nagar Division
Thirumangalam
Chennai – 600 101.

5. The Manager, Sales and Services
J.J.Nagar Zone
Tamil Nadu Housing Board
Thirumangalam
Chennai – 600 101.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus, calling for the order dated 17.01.2014 bearing கடித எண்.ஜெ.V5/491/1988 of the fifth respondent and quash the same and consequently direct the respondents to revoke the cancellation made in petitioner's favour in terms of the paper publication dated 2.01.2014 made in “Dina Malar” and execute the sale deed in respect of the Plot No.MIG 491/GP22 measuring an extent of 180 meters in Special Division-VI, Ambattur scheme in favour of the petitioner.

For the Petitioner : Mr.K.V.Sundararajan

For the Respondents : Mr.S.Ravichandran
Additional Government Pleader
for respondent 1



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Mr.D.Veerasekaran
for respondents 2 to 5

ORDER

The cancellation of allotment of plot by the Tamil Nadu Housing Board is under challenge in the present writ petition.

2. The learned counsel for the petitioner made a submission that the petitioner died. The learned counsel for the respondents states that the allotment was cancelled in the year 2000 itself and the petitioner submitted the letter on 09.01.2014 and the Housing Board sent a reply on 17.01.2014 stating that the allotment was cancelled in the year 2000. However, the said plot was allotted to some other person and he is in possession of the same for the past more than twenty three years. Moreover, the original petitioner died.

3. That being the factum, the legal heirs of the petitioner are at liberty to approach the respondents, seeking refund of the deposit made by the original petitioner, who died during the pendency of the writ petition.



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4. With these directions, the writ petition is disposed of. There will be no order as to costs.

Index : Yes/No
Neutral Order: Yes/No
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To:

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S.M.SUBRAMANIAM,J.

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