



W.A.No.2690 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2690 of 2023

S.Chithra

.. Appellant

Vs.

1. Tamil Nadu Housing Board
Rep. by its Managing Director
No.493, Anna Salai
Nandanam, Chennai 600 035.

2. The Executive Engineer and Administration Officer
Special Project Division – 1
Tamil Nadu Housing Board
C-48, Anna Nagar, Near Ayyappan Temple
Chennai 600 040.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 17.04.2023 made in W.P.No.11985 of 2019.



W.A.No.2690 of 2023

WEB COPY

For the Appellant : Mr.N.C.Ashok Kumar
For Mr.C.Jagadish

For the Respondents : Mr.D.Veerasekaran

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Heard Mr.N.C.Ashok Kumar, learned counsel for Mr.C.Jagadish, learned counsel for the appellant/original writ petitioner and Mr.D.Veerasekaran, learned counsel for the respondent Board.

2. The alternate prayer has been allowed by the learned Single Judge. The refund of Rs.3,64,000/- (Rupees three lakh and sixty four thousand only) is ordered, however, without interest. The writ petitioner has approached this Court aggrieved by the non-grant of interest.

3. The order of the learned Single Judge states that the respondent Board shall return the sum of Rs.3,64,000/- (Rupees



W.A.No.2690 of 2023

three lakh and sixty four thousand only) paid by the writ petitioner within a period of two weeks from the date of receipt of a copy of that order. On failure of the respondents to return the same within the aforesaid period, the respondents would be liable to pay interest at 9% per annum from the date of deposit of the amount till the date of payment of amount to the writ petitioner. The said order is passed on 17.04.2023.

4. Learned counsel for the appellant submits that till date, the amount of Rs.3,64,000/- (Rupees three lakh and sixty four thousand only) is not refunded by the respondents.

5. In the light of that, the interest at the rate of 9% per annum from the date of deposit of the amount till the date of payment to the appellant would operate.

6. In case the said amount is not yet paid, the respondents shall pay the amount of Rs.3,64,000/- (Rupees three lakh and sixty



W.A.No.2690 of 2023

four thousand only) within four weeks from today, along with interest at the rate of 9% per annum from the date of deposit.

7. With these observations, the writ appeal is disposed of.

There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

03.10.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl

To

1. The Managing Director
Tamil Nadu Housing Board
No.493, Anna Salai
Nandanam, Chennai 600 035.
2. The Executive Engineer and Administration Officer
Special Project Division – 1
Tamil Nadu Housing Board
C-48, Anna Nagar, Near Ayyappan Temple
Chennai 600 040.



WEB COPY



W.A.No.2690 of 2023

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

(kpl)

W.A.No.2690 of 2023

03.10.2023