



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

PRESENT

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD) No.25569 of 2023

and

WMP(MD)Nos.21756 & 21757 of 2023

Indirani

... Petitioner

VS.

1.The Chairman and Managing Director,
Tamil Nadu Housing Board,
Nandanam,
Chennai – 600 035.

2.The Executive Engineer and
Administrative Officer,
Tamil Nadu Housing Board,
Tirunelveli Housing Unit,
17D-C Colony, Perumalpuram,
Tirunelveli – 627 007.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order in Letter No.R3/401/1991 dated 10.10.2023 on the file of the second respondent and quash the same and further directing the second respondent to fix the selling price of the petitioner's house in Thamirabarani Colony situated in Kulavanigarapuram Village, Palayamkottai Taluk, Tirunelveli District as per G.O No.29 dated 22.04.2001.



WEB COPY

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.S.Velmurugan

ORDER

Heard both sides.

2.The petitioner is a retired staff nurse. The petition-mentioned property was allotted in favour of the petitioner way back in the year 2001. She paid a meagre sum of Rs.23,000/- and was given possession. The petitioner was to pay the remaining amount in 156 equal installments. The petitioner entangled the board in litigation by contending that cost has not been properly fixed. Civil proceedings had concluded long back. The case of the petitioner is that valuation must be done as per the Government Orders. The respondents now inform the court that the petitioner has to pay a sum of Rs.25,29,000/-. This figure is rounded off to 27.00 lakhs. This rounding off is done because the petitioner is not proposing to pay the entire amount immediately. The petitioner accepts the valuation as Rs.27.00 lakhs. In order to give a quietus to the issue, the writ petition is disposed of in the following terms :

1. The petitioner shall pay sum of Rs.13.5 lakhs on or before 20.12.2023.



WEB COPY



2. The remaining amount of Rs.13.5 lakhs shall be paid in ten equal monthly installments commencing from 20.01.2024.
3. If the petitioner fails to pay fifty percent of the amount within the time period stipulated above, the respondents shall summarily evict the petitioner from the petition-mentioned premises without any notice.
4. If the petitioner commits default in payment of two successful installments, again, the benefit of this order will stand vacated automatically.

No costs. Connected miscellaneous petitions are closed.

06.11.2023

Index : Yes / No
Internet : Yes/ No
skm



WEB COPY



G.R.SWAMINATHAN, J.

SKM

**WP(MD) No.25569 of 2023
and
WMP(MD)Nos.21756 & 21757 of 2023**

06.11.2023