



W.P.No.161 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.161 of 2020
and
W.M.P.No.198 of 2020

Aravindan (died)

1. Padmini Aravindan

2. Ajesh

3. Anitha

... Petitioners

Vs

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

2. The Manager Sales cum Service,
Tamil Nadu Housing Board,
J.J.Nagar Division,
Thirumangalam,
Chennai – 600 101.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records made in Letter No.A3/1276/2004 dated 02.12.2019 on the file of the second



W.P.No.161 of 2020

respondent herein and quash the same as illegal and direct the respondents to receive the actual costs of Rs.15,870/- together with reasonable interest on equitable terms to secure the ends of justice.

For Petitioners : Mr.R.Sankarasubbu

For Respondents : Mr.D.Veerasekaran,
Standing Counsel

O R D E R

This Writ Petition has been filed challenging the order dated 02.12.2019 on the file of the second respondent, thereby, the second respondent dismissed the request made by the petitioner to re-consider the order of cancelling the allotment.

2. The petitioner had died and his legal heirs have been brought on record as the first to third petitioners herein. The petitioner (since deceased) was allotted a plot ad-measuring an extent of 600 sq.ft in Plot No.1276, by allotment letter dated 02.12.1994. The total sale consideration was fixed at Rs.17,400/- and the petitioner was paid initial amount of at Rs.1,530/-. The remaining amount has to paid by installments at Rs.175/- per month for a period of 20 years. Thereafter, the deceased petitioner had constructed a



W.P.No.161 of 2020

house and was residing there. However, thereafter, he failed to pay any installment. Therefore, the allotment was cancelled by order dated 31.05.1996. However, the petitioner was given final chance to clear the demand of Rs.11,600/- on or before 30.09.2002 to revisit the revocation of the allotment. A representation dated 02.06.2004, submitted by the petitioner, was forwarded to the Board with a request to place the proposal for revocation of the cancellation to the revocation committee. Accordingly, by proceedings dated 11.02.2005, necessary proposal was sent and after prolonged deliberations, the petitioner was informed that the allotment was at plot No.LIG I 1276, Ambattur Phase I & II, was cancelled for default of monthly installments which could not be revoked by the communication dated 28.06.2006.

3. That apart, the petitioner was informed to pay a sum of Rs.25,84,000/- as market value of the property towards revocation of the cancellation of allotment order by the communication dated 30.07.2019. However, the petitioner did not come forward to pay the said amount. Subsequently, the petitioner was informed to vacate the plot within a period



W.P.No.161 of 2020

of 30 days. Thereafter, the petitioner made another representation dated 22.10.2019 with a request to the respondents to receive a sum of Rs.15,870/- and register a sale deed in his favour. It was rejected by the order impugned in this Writ Petition. That apart, as of now, the total cost of the plot comes around Rs.44,76,231/-. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent and the Writ Petition is devoid of merits and it is liable to be dismissed.

4. In the result, this Writ Petition is dismissed. The respondents are at liberty to proceed as against the petitioners in accordance with law. Consequently, the connected Miscellaneous Petition is closed. No costs.

24.04.2024
2/2

Index:Yes/No
Neutral Citation/Yes/No
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W.P.No.161 of 2020

To
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W.P.No.161 of 2020

G.K.ILANTHIRAIYAN, J.

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W.P.No.161 of 2020

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2/2