



W.P.No.6325 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6325 of 2022

S.Anandhan

... Petitioner

Vs

The Managing Director,
Tamil Nadu Urban Habitat Development Board,
(formerly Tamil Nadu Slum Clearance Board),
No. 5, Kamarajar Salai,
Chennai – 600 005.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to furnish the petitioner, the statement of accounts and details of pending dues pertaining to the allotted site in No. 35, 2nd Street, Ashok Nagar, Pudhur, Kodambakkam, Chennai to enable the petitioner to clear all pending dues to the respondent herein, on the basis of the petitioner's representation dated 04.12.2021.

For Petitioner : Mr.V.Subramanian

For Respondent : Mr.G.Venkatesan,
Standing Counsel



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ORDER

The Writ Petition has been filed for directing the respondent to furnish the statement of accounts and details of pending dues pertaining to the allotted Plot No. 35, situated at 2nd Street, Ashok Nagar, Pudhur, Kodambakkam, Chennai, to enable the petitioner to clear all pending dues to the respondent herein, on the basis of the representation dated 04.12.2021 made by the petitioner.

2. The petitioner's mother had approached the Madras Housing Board and applied for allotment of house plot and she was allotted a Plot No. 35, situated at 2nd Street, Ashok Nagar, Pudhur, Kodambakkam, Chennai in the year 1962. Subsequently, she had paid her monthly installements to the Respondent/Board and had also completed construction and residing in the said plot till 1972. Thereafter, the petitioner being her only son, had transferred all her interests and rights in the said property in his favour. Further, the petitioner had permitted some of his relatives as permissive occupants to reside in the said property. According to the



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petitioner, he had paid monthly installments to the respondent. However, the petitioner does not know the exact statement of accounts and arrears of amount to be paid. On a perusal of the records, it is seen that he did not produce any documents to show that the petitioner had paid monthly installments to the respondent. Without even producing the document to show that he had paid part of the amount or not, the petitioner sought for statement of accounts.

3. On a perusal of the counter-affidavit filed by the respondent, it reveals that admittedly the petitioner was allotted property bearing Plot No. 35, situated at 2nd Street, Ashok Nagar, Pudhur, Kodambakkam, Chennai and subsequently, he was also issued with a demand notice in the month of September 1994. On verification, it reveals that one Santha had purchased the said plot No.35 for a valuable consideration from the petitioner as early as on 10.04.1989. From the date of purchase, she is living in the said property and she had paid all the installments to the respondent. The said Santha is in possession and enjoyment of the said property for the past several years. Therefore, the representation submitted by the petitioner



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seeking to furnish the statement of accounts cannot be granted and this Writ

Petition is devoid of merits.

4. Accordingly, this Writ Petition is dismissed. No costs.

01.04.2024

Index: Yes/No

Neutral Citation: Yes/No

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To

The Managing Director,
Tamil Nadu Urban Habitat Development Board,
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G.K.ILANTHIRAIYAN, J.

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