



WEB COPY



W.P.No.6762 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6762 of 2021

K.Krishnaveni

... Petitioner

Vs

1. The Executive Engineer and Administrative Officer,
Erode Housing Unit,
Tamil Nadu Housing Board,
Sampath Nagar,
Erode – 638 011.

2. The Managing Director,
Tamil Nadu Housing Board,
93, Annasalai, Nandanam,
Chennai – 600 014.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to execute the title deed for the allotted House No. MIG 16b in Dharapuram Housing Unit by proceedings dated 27.03.2011 pursuant to the representation of the petitioner dated 12.10.2020.

For Petitioner : Mr. V.Illanchezian

For Respondents : Mr. D.Veerasekaran,
Standing Counsel

ORDER



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This Writ Petition has been filed to direct the respondents to execute the title deed in favour of the petitioner in respect of House No. MIG 16b in Dharapuram Housing Unit.

2. The petitioner was allotted a Middle Income Group House in Dharapuram by the first respondent. According to the petitioner, though the petitioner had paid the entire amount, the respondents failed to execute any sale deed and also failed to handover the key of the said house property. Therefore, the petitioner approached the District Consumer Redressal Forum, Erode in C.C. No. 32 of 2016. The said District Consumer Redressal Forum, Erode, by order dated 15.03.2018, directed the respondents to handover the key of the said house property and also imposed costs. Aggrieved by the same, the respondents filed an appeal before the State Consumer Redressal Forum, Chennai in F.A. No. 241 of 2019, in which again, the matter was remanded to the said District consumer Redressal Forum, Erode, for fresh disposal and directed the respondents to handover the possession and key. As directed, the respondents handed over the key and possession of the property in favour of the petitioner. Finally, the



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District consumer Redressal Forum, Erode, by order dated 26.07.2023, directed the petitioner to pay a sum of Rs.2,18,521/- as interest for the belated payment made by the petitioner as on 27.03.2023 and till such payment, the petitioner was directed to pay interest at the rate of 10.5%. Once again, aggrieved by the said order, the respondents filed an appeal in F.A. No. 1121 of 2023 before the State Consumer Redressal Forum, Chennai, claiming a sum of Rs.4,59,555/- as on 08.12.2023 and it is pending. Therefore, the direction sought for in this Writ Petition cannot be considered, since the quantum of amount disputed by the respondents and it is pending before the State Consumer Redressal Forum, Chennai.

3. In view of the above, the respondents are directed to execute the sale deed in favour of the petitioner in respect of the said property, subject to the result of the said appeal by the respondents in F.A. No. 1121 of 2023 on the file of the State Consumer Redressal Forum, Chennai.

4. With the above directions, this Writ Petition is disposed of. No



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costs.

Index: Yes/No
Neutral Citation: Yes/No
kv

To

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G.K.ILANTHIRAIYAN, J.

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