



WEB COPY

W.P.No.31056 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.01.2024**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P. No.31056 of 2016**

**and**

**W.M.P. Nos.26925 and 26926 of 2016**

A. Jayapal S/o. V.R Annamalai Chettiar

... Petitioner

Vs.

1. The Chairman & Managing Director,  
Tamil Nadu Housing Board,  
Anna Salai, Nandanam, Chennai.

2. The Executive Engineer and Administration Officer,  
Tamil Nadu Housing Board,  
Vellore Housing Division,  
Sathuvachari, Vellore – 9.

3. Public Information Officer,  
Tamil Nadu Housing Board,  
Vellore Housing Division,  
Sathuvachari, Vellore – 9.

..... Respondents



**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents not to act on the allotment of lands in S.No.116 and S. No.117 in Sathuvachari Village, Vellore in TNHB Neighbourhood Scheme at Vellore.

For Petitioner : Mr. Sunay for Mrs. V. Srimathi

For Respondents : Mr. Veerasekaran, Standing Counsel  
for TNHB [for R1 to R3]

### **ORDER**

The Writ petition has been instituted to direct the respondents not to act on the allotment of lands in Survey No.116 and 117 in Satvachari Village, Vellore.

2. The learned counsel for the petitioner would submit that the allotment was made in favour of one Smt. J. Gayathri and Mr. Janakiraman. The allotment cannot be acted upon in view of the illegality committed by the Board.



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3. The petitioner was the erstwhile owner from whom the land was acquired for the purpose of developing Neighbourhood Scheme at Satvachari Village, Vellore. The land was acquired from the father of the Writ petitioner and compensation also has been settled. The Writ petition challenging the acquisition proceedings was dismissed. The request of the petitioner for allotment of plot under the Neighbourhood Scheme was considered, but not allotted. However, the fact remains that the allotment of Survey Nos.116 and 117 in Satvachari Village, Vellore had already been made by the Tamil Nadu Housing Board in the year 2016 itself. The petitioner has not chosen to challenge the allotment order by impleading the allottees, but filed the present Writ petition not to act on the allotment of the lands in Survey Nos.116 and Survey No.117.

4. Such general prayers sought for, if granted would cause prejudice to the interest of the allottees who all are already in occupation of their respective portion of the lands allotted by the Tamil Nadu Housing Board under Neighbourhood Scheme. Therefore, the relief as such sought for in the present Writ petition cannot be granted.



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5. More so, the lands in the said Survey Nos were acquired and scheme was separate and allotments were already made and those allotments remain unchallenged and thus, this Writ petition stands dismissed. No order as to costs. Connected miscellaneous petitions are closed.

11.01.2024

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

mjs

To

1. The Chairman & Managing Director,  
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Anna Salai, Nandanam, Chennai.

2. The Executive Engineer and Administration Officer,  
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Vellore Housing Division,  
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**S.M.SUBRAMANIAM, J.**

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