



WEB COPY



WP.No.1155 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

WP.No.1155 of 2021

L.Sugumar

... Petitioner

Vs.

1.The Chairman and Managing Director,
Tamil Nadu Police Housing Corporation,
No.132, E.V.R. Salai, Kilpauk,
Chennai 600 010.

2.The General Manager (Finance and Administration)
Company Secretary,
Tamil Nadu Police Housing Corporation,
No.132, E.V.R.Salai, Kilpauk,
Chennai 600 010.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to allot one HIG / MIG Flat or house in any place in Tamil Nadu forthwith after considering the representation of the petitioner dated 14.12.2020 in accordance with law and on merits expeditiously within a time frame as stipulated by this Honourable Court .

For Petitioners

: Mrs.T.Kokilavane

Page NO:1



WEB COPY



WP.No.1155 of 2021

For Respondents : Mr.P.Vijayadevi, Govt. Advocate

ORDER

This Writ Petition is filed to direct the respondents to allot one HIG / MIG Flat or house in any place in Tamil Nadu by considering the representation of the petitioner dated 14.12.2020

2. It is averred in the writ petition that the petitioner submitted three applications for allotment of a HIG flat under the "own your house' scheme". The respondent sent an intimation letter asking the petitioner to pay Rs.50,000/- as advance by Demand Draft. The petitioner paid the advance amount, however, he has not been allotted any house and the petitioner was made to wait for allotment.

3. Subsequently, the 2nd respondent by communication dated 10.09.2012, called upon the petitioner to express his willingness in respect of allotment of one house at Melkottaiyur, Kanchipuram. The petitioner sent his willingness on 08.10.2012. However, the 2nd respondent rejected the request and willingness of the petitioner and the petitioner who was made to

Page NO:2



WP.No.1155 of 2021

wait for 23 years, was not allotted any house nor refund of advance amount paid by him.

4. Earlier this court by order dated 07.02.2024 directed the respondent to file detailed counter setting out reasons for non-considering the case of the petitioner for grant of allotment of house under the scheme.

5. Thereafter, when the matter was listed on 28.03.2024, learned counsel for the petitioner prayed this court for refund of Rs.50,000/- along with 12% interest from the date of payment till date, as he has not been allotted house under the scheme. The learned Government Advocate, appearing for the Housing Corporation accepted for refund of amount and sought time to file Memo to that effect.

6. Today when the matter is called, the learned Government Advocate filed Memo stating that they are handing over the cheque bearing No.985228 drawn on Indian Overseas Bank dated 01.04.2024, for a sum of Rs.1,82,181/- [Rupees One lakh eight two thousand one hundred and eighty



WP.No.1155 of 2021

one only] to the petitioner. The learned counsel for the petitioner acknowledged the receipt of cheque.

7. Since the amount has been refunded by the respondent-Corporation and the matter has been amicably settled between the parties, nothing survives for further adjudication in this writ petition. Accordingly, this Writ Petition stands closed. No costs.

01.04.2024

nvsri/sk

To

1.The Chairman and Managing Director,
Tamil Nadu Police Housing Corporation,
No.132, E.V.R. Salai, Kilpauk,
Chennai 600 010.

2.The General Manager (Finance and Administration)
Company Secretary, Tamil Nadu Police Housing Corporation,
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J.NISHA BANU, J.

Page NO:4



WEB COPY



WP.No.1155 of 2021

nvsri

W.P. No.1155 of 2021

01.04.2024

Page NO:5