



WEB COPY

W.P.No.696 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.696 of 2023

and

W.M.P.Nos.632 & 633 of 2023

N.Ramachandran

... Petitioner

Vs.

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

2.The Secretary-cum-Personnel Officer,
Tamil Nadu Housing Board,
Nandanam,
Chennai – 600 035.

3.The Executive Officer &
Administrative Officer,
Tamil Nadu Housing Board,
Hosur Housing Unit,
Bagallur Road,
Hosur – 635 109.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to Letter dated 22.11.2022 issued in HR 11/10885/2008 by the 3rd



respondent quash the same and consequently direct the respondents to accept the balance cost of site as per the original allotment letter from the petitioner and execute the Sale Deed and register the same in favour of petitioner.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.D.Veerasekaran
[TNHB]

ORDER

The order of rejection, rejecting the request of the petitioner to restore the allotment of Commercial Plot No.732A at Virupakshipuram scheme is under challenge in the present writ petition.

2. It is not in dispute that the commercial plot was allotted in the name of the writ petitioner on 31.12.2008 by the Tamil Nadu Housing Board through public auction. The petitioner committed default in payment of plot cost and consequently, the Tamil Nadu Housing Board cancelled the allotment on 09.02.2009. Thereafter, the petitioner submitted a representation for restoration of allotment. However, the Tamil Nadu Housing Board considered the representation and restored the allotment on 17.04.2009, but the petitioner again committed default in payment of land cost and once again



allotment was cancelled by the Tamil Nadu Housing Board. The petitioner subsequently submitted a representation. However, the request of the petitioner was placed before the Revocation Committee and the Revocation Committee considered the request of the petitioner and rejected the same.

3. The petitioner was allotted with a commercial plots under a scheme at Hosur, which is an Industrial area. The allotment was cancelled in the year 2009 for committing default. An opportunity was provided to the petitioner for restoring the allotment and even thereafter, the petitioner committed default. Thus, the Board has not considered to restore the allotment thereafter. Even the Revocation Committee considered the claim of the petitioner and rejected the same.

4. At this length of time the land cost in that locality are sky rocketing and therefore, the Court cannot direct the Tamil Nadu Housing Board to restore the allotment made in the year 2008 now after a lapse of more than 15 years.



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5. Thus, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

16.04.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

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S.M.SUBRAMANIAM, J.

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