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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10-12-2024
CORAM
THE HONOURABLE MR JUSTICE R. SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WA. 3443 of 2024

N.RAMACHANDRAN S/O. NARAYANASWAMY, NO.46, J.J. NAGAR,
BAGALUR ROAD, HOSUR - 109, KRISHNAGIRI DT.

APPELLANT(S)

Vs

THE CHAIRMAN AND MANAGING DIRECTOR TAMIL NADU HOUSING
BOARD, NANDANAM, CHENNAI - 035. AND 2 OTHERS

RESPONDENT(S)

For Appellant(s):

R. BHARATH KUMAR T.VEDI R. ESWARAN R. DIVYAPREATHIKA A.
AMBEDKAR K. RAJKUMAR U. RAMYA

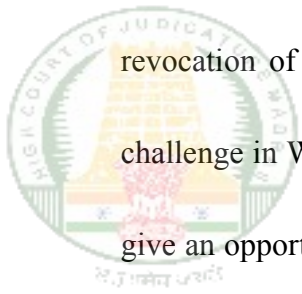
For Respondent(s):

M/S. D.VEERASEKHARAN-MS/194/1979 S.NAGANATHAN
V.PRABHAKARAN T.PRADEEP RAJA FOR RR 1 & 2

ORDER

(Order of the Court was made by the Hon'ble R. Subramanian J)

The petitioner was favored with an allotment of an industrial plot in Hosur town in 2008. Since the petitioner did not pay the cost of the plot as required by the order of allotment, the Revocation Committee cancelled the allotment even in the year 2009. The said cancellation was subject matter of challenge in W.P.No.16503 of 2009. This Court by order dated 11.07.2019, quashed the cancellation order and remitted the matter to the Revocation Committee to pass final order in accordance with law as expeditiously as possible. Pursuant to the direction given by this Court, the Revocation Committee again, rejected the petitioner's request for



revocation of cancellation on 29.01.2020. The said second order dated 29.01.2020 was set aside by the Writ Court of challenge in W.P.No.4115 of 2020. This Court set aside the order and directed the Revocation Committee to give an opportunity to the petitioner and pass orders afresh. Pursuant to the said direction, the petitioner was called for enquiry on 29.07.2022 and the Revocation Committee considered his offer for payment of the land cost and rejected the same by the order dated 22.11.2022. The said order impugned in the Writ Petition. The Writ Court had dismissed the Writ Petition on the ground that the petitioner does not deserve any indulgence, since the petitioner was given an opportunity to pay the money but, still defaulted. The only grievance of the petitioner in this Writ Appeal is that he was not given an opportunity as directed by this Court in its order dated 09.06.2022 made in W.P.No.4115 of 2020.

2. Mr.D.Veerasekaran, learned counsel appearing for the Housing Board has produced the enquiry file which reveals that the petitioner was, in fact, heard by the Committee on 29.07.2022 i.e., after the order dated 09.06.2022 and the representation made by the petitioner was rejected by the Committee.

3. Hence, we do not see any reason to interfere with the order of the Writ Court. This Writ Appeal fails and it is accordingly, **dismissed**. It will be open to the petitioner to participate in any auction that will be conducted in future with reference to the land in dispute or any other land in that area. It will be open to the petitioner to seek refund of the money paid by him and the Housing Board will pass orders in accordance with rules. No costs.

(R. SUBRAMANIAN J.) (C.KUMARAPPAN J.)

10-12-2024

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To

1. THE CHAIRMAN AND MANAGING DIRECTOR TAMIL NADU HOUSING BOARD, NANDANAM, CHENNAI - 035.

2. THE SECRETARY-CUM-PERSONNEL OFFICER, TAMIL NADU HOUSING BOARD, NANDANAM, CHENNAI - 035.

3. THE EXECUTIVE OFFICER AND ADMINISTRATIVE OFFICER, TAMIL NADU HOUSING BOARD, HOSUR HOUSING UNIT, BAGALLUR ROAD, HOSUR - 109.