



W.P.(MD)No.5230 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.5230 of 2017

M.Akbar Basha

... Petitioner

versus

The Executive Engineer &
Administrative Officer,
Trichirappalli Housing Board Unit,
Tamil Nadu Housing Board,
Najamalai Colony,
Trichy – 20.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent herein to re-allot the Housing Plot bearing No.EA1478 and Plot No.EA1479 situated at Navalpatti Village, Trichy Taluk, Trichy District to the petitioner based on the petitioner's representation dated 10.02.2017.



WEB COPY



W.P.(MD)No.5230 of 2017

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondent : Mr.M.Suresh
Standing Counsel

ORDER

The petitioner and his mother were allotted with house plots bearing Nos.EA1478 and EA1479, by the respondent vide proceedings dated 31.03.1995 and they have paid a sum of Rs.1,100/- as caution deposit. Since they have failed to pay the instalment amount, the orders of allotment were cancelled. Therefore, the petitioner has submitted a representation dated 10.02.2017, requesting him to renew the allotment with an undertaking that he would pay the defaulted amount along with interest. The petitioner's request was considered by the respondent on the payment of defaulted amount to the respondent on 27.06.2007, however, they were not re-allotted with new plots. Therefore, the petitioner has filed this writ petition for a Mandamus directing the respondent to re-allot the house plots, by considering his representation dated 10.02.2017.



W.P.(MD)No.5230 of 2017

WEB COPY

2. The learned counsel for the petitioner submits that the petitioner has made a request for re-allotment of plots and he has also paid the defaulted amount as directed by the Housing Board as per Section 83 of the Housing Board Act, however, they were not re-allotted with plots.

3. The learned Standing Counsel appearing for the Housing Board submits that the order of allotment of plots issued in favour to the petitioner and his mother were cancelled, by proceedings dated 30.03.2007 and they were allotted to other persons. In the event of submitting a fresh representation by the petitioner to the respondent for re-allotment of plots, the same would be considered by the respondent, if any other plots are available.

4. Considering the submissions made by the learned Standing Counsel appearing for the Housing Board, this writ petition is disposed



W.P.(MD)No.5230 of 2017

of with a direction to the petitioner to submit a fresh representation for re-allotment of plots to the respondent within a period of two weeks from the date of receipt of a copy of this order. On filing such application, the respondent shall consider the same within a period of six weeks from thereon. No costs.

23.01.2024

ogy

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

The Executive Engineer &
Administrative Officer,
Trichirappalli Housing Board Unit,
Tamil Nadu Housing Board,
Najamalai Colony,
Trichy – 20.



WEB COPY



W.P.(MD)No.5230 of 2017

B.PUGALENDHI, J.

ogy

W.P.(MD)No.5230 of 2017

23.01.2024