



W.P.(MD) No.14850 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.14850 of 2017

and

W.M.P.(MD) No.11699 of 2017

P.Thirugnanasambandam

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep., by its Principal Secretary,
Department of Adi Dravidar and Tribal Welfare,
Secretariat, Chennai-9.

2.Tamil Nadu Housing Board,
Rep., by its Managing Director,
493, Anna Salai, Nandanam,
Chennai-600 035.

3.The Executive Engineer and Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Unit,
Ellis Nagar, Madurai-625 016.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Certiorarified Mandamus, to call for the
records pertaining to the impugned order in letter



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No.MH-9/L1-67/Theni/2014 dated 14.06.2017 on the file of the respondent No.3 and quash the same as illegal and consequently for a direction, directing the respondents to disburse the initial deposit amount of Rs.23,297/-(Twenty Three Thousand and Two Hundred and Ninety Seven Rupees only) with the admissible rate of interest to the petitioner within the time period to be stipulated by this Court.

For Petitioner	:	Mr.S.Rajasekar for M/s.Lajapathi Roy Associates
For R1	:	Mr.R.Suresh Kumar Additional Government Pleader
For R2	:	Mr.R.Sivakumar Standing Counsel

ORDER

The petitioner has challenged the impugned order dated 14.06.2017 wherein the petitioner's request for refund of the security deposit was rejected *inter alia* indicating that the petitioner's allotment was cancelled as early as on 16.02.2001 and that after deducting the security deposit, the petitioner is liable to pay a further sum of Rs.48,639/-. It was also indicated that the allotment, which was made to the petitioner was cancelled and allotted to a third party also.



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2. Since the petitioner's request to refund the security deposit was rejected, it can be inferred that the petitioner was aware of the order of cancellation. The petitioner was also intimated that he should pay a sum of Rs.48,639/- as on the date of passing the impugned order. Since the petitioner's claim for refund of the security deposit is beyond the amount that the petitioner was liable to pay to the respondent, I find no infirmity in the order impugned herein and the Writ Petition is accordingly, dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.12.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

abr



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To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Department of Adi Dravidar and Tribal Welfare,
Secretariat, Chennai-9.
- 2.The Managing Director,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai-600 035.
- 3.The Executive Engineer and Administrative Officer,
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K.KUMARESH BABU, J.

abr

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