



W.P.No.5426 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5426 of 2025
and W.M.P.Nos.5974 and 5975 of 2025

K.Bhuvana Chandrika

.. Petitioner

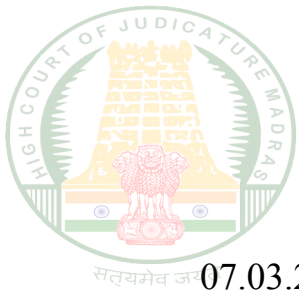
Versus

1. The Executive Engineer & ADO,
Special Projects Sector - 1,
TNHB, C-48, 2nd Nizhalsalai,
Anna Nagar, Chennai - 600 040.

2. The Executive Engineer & ADO,
Special Project Division - I,
Tamil Nadu Housing Board,
Ashok Nagar, Chennai - 600 083.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the records of impugned notice, dated 12.02.2021 bearing reference No.SPD 1/A.1/303/2011 and quash the same and consequently, direct the 1st respondent to execute a sale deed as per regular allotment order, dated



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07.03.2017 within time limit fixed by this Court.

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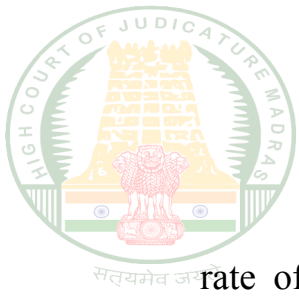
For Petitioner : M/s.C.Shankary,
for M/s.Nathan and Associates

For Respondents : Mr.D.Veerasekaran,
Standing Counsel

ORDER

This Writ Petition is filed challenging the impugned notice, dated 12.02.2021 and to consequently, direct the first respondent to execute a sale deed as per the regular allotment order, dated 07.03.2017.

2. The grievance of the petitioner is that the petitioner applied for allotment of a plot in the respondent Housing Board. By the communication, dated 14.03.2011, the petitioner was informed that she was selected for provisional allotment of a residential plot in HIG - 0303 admeasuring 2325 Sq.ft. The petitioner was required to pay an advance of Rs.2,32,400/- and the remaining amount on monthly installment basis at the

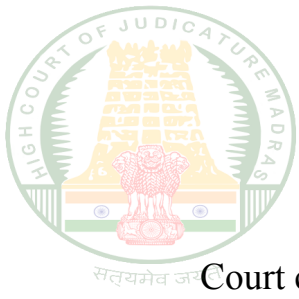


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rate of Rs.7,500/- per month for a period of five years. The petitioner, accordingly, deposited the said sum of Rs.2,32,400/- on 08.04.2011. It was stated that the petitioner will be further intimated about the balance of installments. Thereafter, when the petitioner was intimated, the petitioner started paying installments and the entire sale consideration was paid and no amount is due. The price was also revised and the installment was enhanced from Rs.7,500/- to Rs.12,307/- which amount has also been duly paid by the petitioner.

3. While so, now, by the impugned order, the petitioner is informed that there is an additional extent of 2160.47 Sq.ft., available abutting to the petitioner's plot. Therefore, the petitioner was directed to pay the sale consideration in respect of the said extent also. It is intimated that only upon the payment, the sale deed will be executed. The petitioner is not in a position to purchase the said additional extent and she only wants her original plot of 2325 Sq.ft alone. Therefore, the petitioner is before this



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Court challenging the impugned order.

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4. The Writ Petition is resisted by the respondents and a counter-affidavit is also filed. From the counter-affidavit, it can be seen that since the extent is there together in the particular survey number as per the F.M.B sketch, the same is offered by the Housing Board and if the petitioner does not want, the authorities will first bifurcate the additional land and after bifurcation, the sale deed will be executed subject to the other terms and conditions including verification of the payment of entire sale consideration etc.

5. In view of the statement made by the respondent authorities and in view of the categorical assertion of the petitioner that she does not want the additional extent, this Writ Petition is disposed of on the following terms:-

(i) The authorities shall conduct the exercise of bifurcating the said extent and after demarcating the extent of 2325 Sq.ft., which is already



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allotted to the petitioner, the exercise of executing the sale deed can be taken up;

(ii) The authorities can only verify the entitlement of the petitioner and the sale deed shall be executed;

(iii) The above exercise shall be completed within a period of four weeks from the date of receipt/production of a web-copy of this order without waiting for a certified copy of this order;

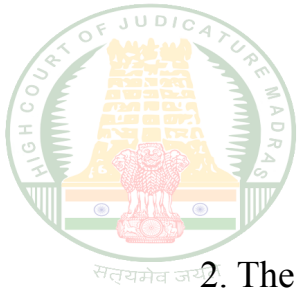
(iv) There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

20.03.2025

Neutral Citation : no
grs

To

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Special Projects Sector - 1,
TNHB, C-48, 2nd Nizhalsalai,
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