



W.A.No.2511 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM :

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.A.No.2511 of 2022
and
CMP.No.19566 of 2022**

1.N.Kamatchi (died)
2.N.Thirunaavukkarasu

...

Appellant

(Sole appellant (died) is substituted by
the 2nd appellant as LRs of deceased
sole appellant vide order of Court
dated 10.01.2025 made in CMP.
No.15833 of 2024 in W.A.No.2511/2022)

Vs.

1.The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai - 600 035.

2.The Executive Engineer,
and Administration Officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Thirumangalam Complex,
Thirumangalam, Chennai-600 101.

...

Respondents



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PRAYER : The Writ Appeal has been filed under Clause 15 of the Letters patent against the order of this Court dated 18.10.2019 passed in W.P.No.4157 of 2019.

For Appellant	...	Mr.S.Kavin for Mr. B.Arvind Srevatsa
For Respondents	...	Mr.D.Veenasekaran Standing Counsel for TNHB

JUDGMENT

(The order of this Court was made by S.M.Subramaniam,J.,)

The writ order dated 18.10.2019 came to be challenged in the present appeal. The writ petitioner is the appellant. Writ of mandamus has been instituted seeking direction to the 2nd respondent to execute the register sale deed in favour of the petitioner in respect of the flat allotted to the appellant.

2.It is not in dispute that Flat No.33/1, Golden Apartment, East Cross Road, Maha Kavi Bharathi Nagar, Vyasarpadi, Chennai, had been allotted in favour of the appellant on 21.05.2004. There was a delay in



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handing over possession of the flat on account of continuous litigation between the parties. However, the Housing Board, considering the plight of the purchasers, reduced the cost of the flat from Rs.10,76,800/- to Rs.6,38,543/- on 26.08.2011. Admittedly, possession had been taken by the appellant on 14.03.2014. As on today, the appellant is in possession and enjoyment of the flat.

3. The learned counsel appearing for the appellant would mainly contend that the interest charged is exorbitant and that the penalty recovered is not in accordance with law.

4. This Court is of the considered view that the cost of the flat had already been reduced from Rs.10,76,800/- to Rs.6,38,543/- and the entire transaction came to an end and the possession handed over to the allottee in the year 2014. Thus, it would be unnecessary for this Court to unsettle the settled contract between the parties and more so, when the appellant is in enjoyment of the property for the past about 11 years and has not made out any acceptable ground for the purpose of interfering with the writ



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order passed. Consequently, the writ appeal stands dismissed. No costs.

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Consequently, connected miscellaneous petition is closed.

(S.M.S.J)

(M.S.Q..J)

16.09.2025

Index : Yes/No
Internet : Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
sms

To

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S.M.SUBRAMANIAM,J.,
and
MOHAMMED SHAFFIQ,J.,

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