



W.P.Nos.16313 of 2024
& 5773 of 2025

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In the High Court of Judicature at Madras

Reserved on : 10.7.2025	Delivered on: 15.7.2025
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Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Writ Petition Nos.16313 of 2024 & 5773 of 2025
& WMP.Nos.17849 & 17851 of 2024 &
WMP.No.6351 of 2025

Tamil Maanila Kattida Thozhilalargal
Sangam, rep.by its General
Secretary T.Muthiyan

...Petitioner in
WP.No.16313 of
2024

1.Construction Workers' Building
Centre (Regn.No.130/1991/
Chennai Central), rep.by its
Secretary - Authorized
Signatory M.Subbu

2.A.Kathirvel, President,
Construction Workers' Building
Centre (Regn.No.130/1991/
Chennai Central)

...Petitioners in
WP.No.5773 of
2025

Vs

1.The Managing Director, Tamil Nadu
Housing Board, CMDA Complex,
E.C.Market Road, Koyambedu,
Chennai-107.

...R1 in WP.No.
16313 of 2024



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2.The Tamil Nadu Housing Board,
rep.by its Managing Director,
CMDA Complex, E.C.Market Road,
Koyambedu, Chennai-107.

...R1 in WP.No.
5773 of 2025

3.The Superintending Engineer,
Tamil Nadu Housing Board,
Anna Nagar Division,
Thirumangalam Complex,
Chennai-101.

...R2 in WP.No.
16313 of 2024

4.The Executive Engineer,
Tamil Nadu Housing Board,
Anna Nagar Division,
Thirumangalam Complex,
Chennai-101.

...R3 in both WPs

5.M.Subbu (a) Subramani

...R4 in WP.No.
16313 of 2024

6.The Superintending Engineer,
Tamil Nadu Housing Board,
Chennai Circle-I, No.485,
MTB Building, II Floor,
Anna Salai, Nandanam,
Chennai-35.

...R2 in WP.No.
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6.T.Muthiyan

...R4 in WP.No.
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PETITIONS under Article 226 of The Constitution of India praying
for the issuance of



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(i) a Writ of Certiorarified Mandamus to call for the entire records issued by the 3rd respondent in Letter No.Aa.Naa.O.3/1529/1988 dated 20.7.2023, quash the same, the letter issued rejecting the representation of the petitioner dated 31.1.2023 and to register the property at 7/R, 86A, 10th Main Road, Muthamizh Nagar, Kodungaiyur, Chennai-600118 on Tamil Maanila Kattida Thozhilalar Sangam, allotted to the petitioner vide Resolution No.85/90 dated 06.11.1990 as per RTI reply and letter No.P3/1529/88 dated 07.1.1991 (WP.No. 16313 of 2024); and

(ii) a Writ of Mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 09.1.2025 consequent to the order of this Court dated 17.3.2023 passed in W.P. No.8391 of 2023 and to execute and register a sale deed in favour of the first petitioner society in respect of the premises at 7/R 86, 10th street, Muthamizh Nagar Phase II, Chennai-118 allotted by the first respondent herein on 27.6.1991 to the first respondent society (WP. No.5773 of 2025).

For Petitioner in
WP.No.16313 of 2024 &

For R4 in

WP.No.5773 of 2025

For TNHB in both WPs

: Mr.T.Sivagnanasambandan

: Mr.D.Veerasekaran,
Standing Counsel

For R4 in

WP.No.16313 of 2024 &

For Petitioners in

WP.No.5773 of 2025

: Mr.M.Ramamoorthi



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COMMON ORDER

W.P.No.16313 of 2024 has been filed by the General Secretary of Tamil Maanila Kattida Thozhilalargal Sangam (for short, the Sangam) challenging the letter of the third respondent dated 20.7.2023 and for a direction to the Tamil Nadu Housing Board (TNHB) to register the property at 7/R, 86A, 10th Main Road, Muthamizh Nagar, Kodungaiyur, Chennai- 600118 (for brevity, the subject property) in its favour since it was originally allotted in its favour through resolution dated 06.11.1990.

2. W.P.No.5773 of 2025 has been filed by the Secretary - Authorized Signatory and the President of Construction Workers Building Centre (hereinafter called the society), which is a separate entity seeking for a direction to the TNHB to consider its representation and to execute a sale deed in its favour with respect to the subject property.

3. Heard the learned counsel appearing for the respective parties.



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4. The case of the Sangam viz. the petitioner in W.P.No.16313 of 2024 is as follows :

(i) The TNHB originally allotted the subject property in its favour pursuant to the resolution passed by the TNHB on 06.11.1990. A total extent of 11 acres and 85 sq.ft. was meant to be used for training the members, construction labourers, etc. The Sangam was asked to pay a sum of Rs.4,57,671/- towards allotment of the subject property. However, the amount was subsequently reduced to Rs.1,27,934/-.

(ii) The Sangam collected the amount from its members/ construction labourers and paid the money to the TNHB. Pursuant to that, an office premises came to be constructed. There has been a dispute between the present General Secretary of the Sangam namely Mr.T.Muthiyan and the fourth respondent namely Mr.M.Subbu. A suit in O.S.No.3395 of 2022 has been filed by the Sangam against the said Mr.M.Subbu and the Chief Election Officer on the file of the 17th Assistant Judge, City Civil Court, Chennai to restrain them from interfering or disturbing with the administration of the day to day activities of the Sangam.

(iii) The grievance of the Sangam is that the said Mr.M.Subbu had managed to persuade the TNHB to convey the subject property in



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favour of the society, in which, he is the Secretary - Authorized Signatory. Hence, the Sangam submitted its objections dated 31.1.2023, which came to be rejected through the letter dated 20.7.2023 by the third respondent. This is put to challenge in W.P.No. 16313 of 2024.

5. The case of the society – the petitioner in W.P.No.5773 of 2025 is as follows :

(i) It is a society registered under the Tamil Nadu Societies Registration Act. The TNHB, vide proceedings dated 09.2.1993, directed the society to pay a sum of Rs.1,27,084/- towards cost of the subject property and it was paid. Pursuant to that, the society is in possession and enjoyment of the same by paying the statutory dues such as the property tax demand, the water charges and the electricity charges. The said Mr.T.Muthiyan, who is none other than the fourth respondent in W.P. No.5773 of 2025, started claiming to be the General Secretary of the Sangam and filed the said suit to prevent the said Mr.M.Subbu and another from interfering with the day to day administration of the Sangam.



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(ii) In the said suit, the said Mr.M.Subbu filed a counter claim questioning the election of the said Mr.T.Muthiyan as the General Secretary of the Sangam. The said suit is still pending. The Sangam was constituted in the year 1983 and the TNHB, in its Board Meeting, passed the resolution on 06.11.1990 and issued a letter dated 07.1.1991 to allot 11 grounds and 85 sq.ft. in favour of the Sangam. This was objected. At a later point of time, the Sangam, through the said Mr.T.Muthiyan, sent a representation dated 31.1.2023 to the TNHB seeking to execute the sale deed in its favour.

(iii) Since the said representation was not considered, the said Mr.T.Muthiyan filed W.P.No.8391 of 2023 before this Court and it was disposed of by order dated 17.3.2023 directing the third respondent to consider the said representation dated 31.1.2023 and to pass orders within a time frame. As a consequence, an inquiry was conducted by the third respondent and ultimately, the impugned order dated 20.7.2023 was passed rejecting the claim made by the Sangam. Hence, in W.P.No.5773 of 2025, the society sought for a direction to respondents 1 to 3 to execute and register a sale deed in its favour with respect to the subject property.



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6. When these writ petitions came up for hearing on 27.6.2025, this Court passed the following order :

"Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the Tamil Nadu Housing Board and the learned counsel appearing for the 4th respondent in WP No.16313 of 2024

2. It is not in dispute that the original allotment was made by the Tamil Nadu Housing Board in favour of Tamil Maanila Kattida Thozhilalrgal Sangam. A representation seems to have been received by the Housing Board from the 4th respondent and it is not clear from the counter affidavit as to what were the documents that were considered by the Housing Board before the allotment was transferred in favour of Construction Workers Building Centre. The dispute revolves around the transfer of allotment made in favour of Construction Workers Building Centre.

3. The learned Standing Counsel appearing on behalf of the Tamil Nadu Housing Board submitted that he will file those relevant documents which were acted upon by the Housing Board for transferring the allotment from the name of Tamil Maanila Kattida Thozhilalrgal Sangam to the name of Construction Workers Building Centre. If those documents are received, there will be more clarity



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to deal with this writ petition and to pass final orders.

4. Post these writ petitions under the caption "part heard cases" on 10.07.2025. In the meantime, the typed set of papers shall be filed and a copy of the same shall also be served on the learned counsel for the petitioner in both the writ petitions."

7. Pursuant to the above order, the TNHB filed a counter affidavit along with a common typed set of papers.

8. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned communication of the third respondent dated 20.7.2023.

9. The Sangam sent a letter dated 05.11.1990 to the Government of Tamil Nadu stating that it is a State level registered organization of construction workers, that they planned to set up training centers for various construction trades and that a request was made to allot lands. On 01.4.1991, a communication was sent to the Madras Metropolitan



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Development Authority informing about the cost of the plot allotted to the Sangam. Subsequently, a lease-cum-sale agreement dated 13.6.1991 was executed between the TNHB and the Sangam. Thereafter, vide letter dated 21.6.1991, the Sangam, through the said Mr.M.Subbu in the capacity of the General Secretary, made a request to the TNHB to change the allotment from the name of the Sangam to the name of the society.

10. On a careful reading of the counter of the third respondent and also the documents enclosed in the common typed set of papers filed on behalf of the TNHB, it is seen that a lot of letter communications has taken place during the relevant point of time and that the site was handed over to the Sangam, which also paid the amount in two instalments on 12.6.1991 and 29.9.1991. A subsequent communication was made to the TNHB stating that a resolution has been passed and hence, the subject property could be transferred in the name of the society. After conducting an inquiry, the TNHB ascertained that a valid resolution had been passed and pursuant to that, it was decided to proceed further to execute the sale deed in favour of the society.

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11. There is a serious dispute between two individuals, who are fighting for the post of General Secretary of the Sangam. A substantive suit is pending before the competent civil court. This fight between the individuals should not be put against the TNHB, which merely went by the resolution passed and the paper work done and thereafter decided to execute the sale deed in favour of the society. After conducting an inquiry, the TNHB ascertained that a valid resolution had been passed and pursuant to that, it was decided to proceed further to execute the sale deed in favour of the society. In any case, the parties are at loggerheads and the civil suit is pending in this regard. In that suit, the Trial Court can decide on the validity of the election and other issues that have been raised.

12. The impugned communication dated 20.7.2023 issued by the third respondent does not suffer from any illegality and the third respondent considered all the aspects and only thereafter, the representation made by the Sangam was rejected.

13. In the light of the above discussions, the writ petitions are disposed of and there shall be a direction to the third respondent to



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consider the representation made by the society – the petitioner in W.P.No.5773 of 2025 and take a decision with regard to the request made for execution and registration of the sale deed in its favour in respect of the subject property. This decision shall be taken within a period of four weeks from the date of receipt of a copy of this order. It is left open to the parties to agitate their rights before the Trial Court where the said civil suit is pending. It goes without saying that the final result in the said suit may have a bearing on the allotment made and the sale deed to be registered by the TNHB. If, ultimately, the Sangam – the petitioner in W.P.No.16313 of 2024 is able to succeed before the civil court, they can make a request to the TNHB for transferring the allotment and execution of the sale deed in its favour. To that extent, the rights of the parties are balanced and protected. No costs. Consequently, the connected WMPs are closed.

15.7.2025



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To

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- 2.The Superintending Engineer, Tamil Nadu Housing Board, Anna Nagar Division, Thirumangalam Complex, Chennai-101.
- 3.The Executive Engineer, Tamil Nadu Housing Board, Anna Nagar Division, Thirumangalam Complex, Chennai-101.
- 4.The Superintending Engineer, Tamil Nadu Housing Board, Chennai Circle-I, No.485, MTB Building, II Floor, Anna Salai, Nandanam, Chennai-35.

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