



WEB COPY

WP No. 11104 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 11104 of 2023
and WMP No.10966 of 2023**

S.Barathi

Petitioner

Vs

1. The Principal Secretary to Government
Tamil Nadu Housing and
Urban Development Department,
Fort St. George, Chennai- 600 009.

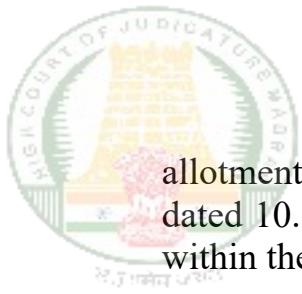
2.The Chairman / Managing Director
Tamil Nadu Housing Board,
CMDA Complex,
E and C Market Road, Koyambedu.

3.The Executive Engineer / Administrative officer
Tamil Nadu Housing Board,
Erode Housing Unit,
Sampath Nagar,
Collectorate Post, Erode- 638 001.

4.The Assistant Revenue Officer
Tamil Nadu Housing Board,
Erode Housing Unit,
Sampath Nagar,
Collectorate Post, Erode- 638 001.

Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned demand notices issued by the 3rd Respondent in Letter No. - Nil dated 16.05.2022 and in Letter No.R4/ 2428 / 98 dated 21.06.2022 and to quash the same and consequently direct the respondents 3 and 4 and to issue No Objection Certificate and Execute sale deed in petitioner favour as per the



allotment order passed by the 3rd respondent in Na.Ka. No.AB2/ 5134 / 07 dated 10.10.2007 in the light of the petitioners representation dated 22.07.2022 within the stipulated time and without levying any further sum and to pass.

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For Petitioner: Ms.S.T.P.Kuilmozhi

For Respondents: Ms. Anitha, Special Government
Pleader for R1
Mr.D.Veerasekaran, for RR2 to R4

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to quash the impugned order and direct the 3rd and 4th respondents to issue NOC and execute the sale deed in favour of the petitioner.

2.The learned counsel for the petitioner on instructions would submit that the petitioner was allotted a house site HIG Plot No.312, measuring to an extent of 2,400 sq.ft. Muthampalayam -Phase II, for which, the petitioner has paid a sum of Rs.8,50,000/- as on 31.12.2007. However, the respondents by the impugned order dated 21.06.2022 directed the petitioner to pay another sum of Rs.10,58,916/-. Challenging the said order, the present writ petition is filed.

3.The learned standing counsel appearing for TNHB would submit that as on date, the total amount payable by the petitioner is Rs.40,15,766/-. In response to the same, the learned counsel for the petitioner would submit that



the petitioner is not inclined to proceed further and therefore, this Court may issue a direction to the respondents to return the amount paid by the petitioner.

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4.I have heard the submissions made on either side and perused the materials available in this case.

5.In view of the submissions made by either side and considering the fact that the petitioner is not willing to proceed further, this Court is inclined to issue direction to the respondents to return the amount already paid by the petitioner ie.,Rs.8,50,000/- with interest at the rate of 6% per annum from 31.12.2007 to till date (21.11.2025) within a period of four weeks from the date of receipt of copy of this order and liberty is granted to the respondents to proceed the sale of the said plot by way of public auction.

6.With the above directions, this writ petition is disposed of. Connected miscellaneous petition stands closed. No costs.

21-11-2025

Index:Yes/No
Internet:Yes
ssa



To

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Tamil Nadu Housing and Urban
Development Department Fort St.
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M.DHANDAPANI J.

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