



W.P.No.14545 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :23.04.2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14545 of 2025

and

W.M.P.No.16438 of 2025

A.Ezhilarasi,
W/o Rajasekar,
Gangaleeri, Krishnagiri,
Krishnagiri District.

.. Petitioner

/versus/

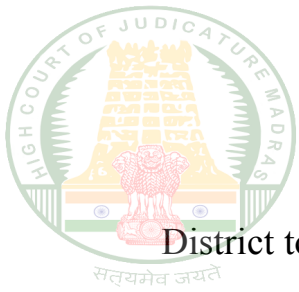
1.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.

2.The Executive Engineer,
Tamil Nadu Housing Board,
Hosur Unit, Bagalur Road,
Hosur 635 109.

3.The Marketing Manager,
Tamil Nadu Housing Board,
Hosur Unit, Bagalur Road,
Hosur 635 109.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to consider the petitioner's representation dated 29.07.2024 and allot the Plot No.13A in Phase No.6 of the Hosur Housing Scheme at Hosur, Krishnagiri



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District to the petitioner on payment of market value of the plot.

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For Petitioner : Mr. Richardson Wilson
For Respondents : Mr. A.M. Ravindranath Jeyapal,
Standing Counsel (TNHB) for R1 to R3

ORDER

The writ petition is filed with a prayer directing the second respondent to consider the petitioner's representation dated 29.07.2024 and allot the plot No.13A, in phase No.6 of Hosur Housing Scheme at Hosur, Krishnagiri District to the petitioner on payment of market value of the plot.

2. Upon hearing Mr. Richardson Wilson, learned counsel appearing on behalf of the petitioner and perusing the affidavit filed in support of the writ petition and the representation, it can be seen that petitioner originally was allotted a residential plot. However, upon the petitioner approaching the site it was seen to be a rocky terrain and therefore, the petitioner approached this Court for allotment of an alternative plot. Earlier, this Court directed the respondents to consider the representation with reference to the prayer of the petitioner to allot the commercial plot No.13A by considering the representation of the petitioner. Accordingly, when the respondents passed orders, they submitted that the petitioner should pay the then market value and thereafter, they did not accept the same also. Therefore, a second round of writ



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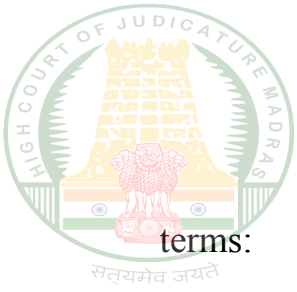
petition was filed in WP.No.20875 of 2021 and, in which also once again the

respondents were directed to consider the representation within a period of 12 weeks. Even now, the petitioner is ready to pay any reasonable price that is offered by the respondents in respect of the commercial plot, but the respondents are going back from their original promise and they tried to auction the plot but however they remain unsuccessful as on date.

3. When the writ petition came up for hearing, the Learned Counsel taking notice on behalf the respondents on instructions by pointing out to the communication dated 19.10.2024 which is a letter written by the 2nd respondent to the 1st respondent would submit that the respondent-Board has instructed him to submit that if the petitioner now pays the same amount which is mentioned in the said communication that is a total sum of Rs.5,28,00,000/-, the respondent-Board is willing to allot and also execute sale deed in the manner known to law.

4. Upon such submission, the Learned Senior Counsel appearing on behalf of the petitioner would submit that the petitioner would be very much willing to deposit the said amount.

5. In view thereof, this writ petition is disposed of on the following



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terms:

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(i) In respect of plot No.13A, the petitioner shall deposit a sum of Rs.5,28,00,000/- which shall be accepted as full quit towards all claims of sale price and interest etc., by the respondents 1 to 3 herein. The petitioner will be entitled to set off the amount already paid by him.

(ii) The petitioner shall deposit the aforesaid sum within a period of three months from the date of receipt of the web copy of the order without waiting for the certified copy of the order. It is made clear that the same terms will not prevail if the petitioner is not able to deposit the said sum within the said date and the respondents 1 to 3 will be bound by the above rate, if only the petitioner deposit the said sum within the time as aforesaid.

(iii) Upon depositing the said sum by the petitioner, the due allotment order as well as the sale deed shall be executed by the respondents 1 to 3, within a period of eight weeks thereafter and the petitioner shall also be put into possession. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

23.04.2025

Neutral citation: no
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Tamil Nadu Housing Board,
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- 4.The Standing Counsel (TNHB),
High Court, Madras.



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