



WA No. 2485 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-08-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE P. DHANABAL

WA No. 2485 of 2025 AND

CMP NO. 19250 OF 2025

T.S.Jayakumar
S/O R.D.Sundaram, No 39, Sri Mahalakshmi Mandira,
4th Floor, 140,7 GSTS Rathnavel Pandiyan Road,
Golden George Nagar, Koyembedu, Chennai 600 107

..Appellant

Vs

1. The Managing Director
Tamil Nadu Housing Board, Cmda Complex, E And C
Market Road, Koyembedu, Chennai 107
2. The Executive Engineer
Tamil Nadu Housing Board, Hosur Housing Board,
Hosur 635 109

..Respondents

Prayer : Writ Appeal under Clause 15 of the Letters Patent to set aside the Order dated 26.02.2025 made in WP.No. 18865 of 2024.

For Appellant : Mr. Avinash Wadhwani

For Respondents : Mr. P.S. Seetharaman, Standing Counsel
For R1 & R2

Judgment



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(Judgment of the Court was delivered by R.Suresh Kumar J.)

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The intra Court appeal has been directed against the order passed by the Writ Court dated 26.02.2025 made in W.P.No.18865 of 2024.

2. The appellant herein was the writ petitioner in whose favour the Tamil Nadu Housing Board has allotted a housing plot at HIG-II Plot No.73 at Phase XV Hosur Neighbourhood Scheme. That allotment order was given on 24.11.2009. The entire amount for such allotment also had been paid by him. After several years, on 14.03.2022, the petitioner / appellant has given a request to the Tamil Nadu Housing Board stating that the allotted plot admeasuring 323.51 Sq.mtr is in trapezium shape and therefore when the petitioner / appellant wanted to put up construction of a dwelling house, larger extent of land would get wasted because of the shape of the plot. Therefore, if the adjacent plot which is a vacant plot also is allotted to the appellant, that would be helpful to him to construct the house as he desires without wasting larger extent of the land. Therefore, he had made such a request on 14.03.2022, wherein he had stated that if such an allotment is accepted, whatever the land cost is fixed by the Housing Board, he would be ready and willing to make the payment. However, the said request and the subsequent request to that effect having been considered, was turned down by the Tamil Nadu Housing Board by a communication dated 09.01.2024 and again on 20.03.2024. Challenging the said rejection orders, the petitioner / appellant approached the writ Court by filing the



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said writ petition seeking a writ of Certiorari to quash the said communication and to seek allotment of the adjacent plot.

3. The said writ petition having been considered, was dismissed by the Writ Court through the impugned order dated 26.02.2025.

4. Aggrieved over the same, the present intra Court appeal has been filed. Learned counsel appearing for the appellant / writ petitioner would contend that at one point of time the adjacent plot also has been handed over to him, for which the plot cost also has been collected from him.

5. In this regard, no document had been filed before the Writ Court and before this Court. Some photocopy has been produced before this Court, which was unhesitatingly disowned by the learned Standing Counsel for the Tamil Nadu Housing Board stating that on 14.03.2024 the writ petitioner / appellant sent a letter saying that the adjacent plot may be allotted to him for which he is ready and willing to make payment provided the cost of the plot is fixed by the Housing Board. When that being so, by showing a letter to state that the handing over the plot money as alleged by the learned counsel for the appellant without any substantiating documents is bereft of facts and based on which he cannot make out a case, he contended.



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6. We have considered the submissions made by the learned counsel for both sides and have perused the materials placed on record.

7. The learned Judge has rightly held that insofar as considering the request of the petitioner / appellant to allot the adjacent plot also for his convenience by citing the reason that the already allotted plot is shapeless, is not a matter of right and as his request since turned down by the Housing Board, absolutely there has been no right vested in the petitioner / appellant. Therefore, to that extent, the prayer sought for by the writ petitioner / appellant was rejected by the writ Court, of course rightly.

8. We do not see any reason to interfere with the said approach of the learned Judge and the conclusion arrived at by him. The allotment since has been given in the year 2009 and after several years if at all he wanted additional plot, he cannot claim it as a right saying that additional plot also should be given to him, that why such additional plot cannot be given to him also has been explained by the Housing Board as that area has still not been approved and therefore an approved layout has to be made and then only the adjacent plot as has been sought for by the petitioner can be decided. When that being the position, the petitioner / appellant cannot seek for such additional allotment from the Housing Board and



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therefore, the rejection which was made in the letters dated 09.01.2024 and 20.03.2024, which were impugned by the Writ Court, are justifiable and sustainable.

9. Resultantly, the order passed by the writ Court dated 26.02.2025 is to be sustained. The writ appeal fails and it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (P.D.B.,J.)
25-08-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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**R.SURESH KUMAR J.
AND
P.DHANABAL J.**

KST

To

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Tamil Nadu Housing Board,
CMDA Complex, E And C Market Road,
Koyembedu, Chennai 107
2. The Executive Engineer
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