



W.P.No.18865 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.18865 of 2024

T.S.Jayakumar

.. Petitioner

Versus

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

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

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned orders of 1st respondent made in Letter No.allotment 3(3)/1690/2020, dated 09.01.2024 and 20.03.2024 and quash the same, consequently, direct the respondents to allot the adjacent land.



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For Petitioner : Mr.S.Kousik

For Respondents : Mr.D.Veerasekaran,
Standing Counsel for TNHB

ORDER

This Writ Petition is filed for a Certiorarified Mandamus calling for the records relating to the impugned order of the first respondent made in Letter allotment No.3(3)/1690/2020, dated 09.01.2024 and 20.03.2024 and quash the same and consequently, direct the respondents to allot the adjacent land.

2. Heard *Mr.S.Kousik*, learned Counsel for the petitioner and *Mr.D.Veerasekaran*, learned Standing Counsel for the respondents and perused the material records of the case.

3. It is the grievance of the petitioner that the petitioner has been



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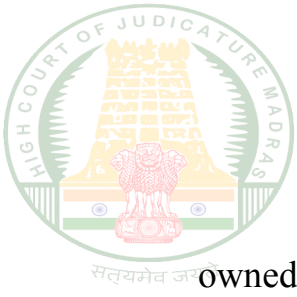
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allotted a plot by the respondent Housing Board. It is triangular in shape.

Therefore, the petitioner is put to grave prejudice while putting the same into use. If, additionally, an extent that also belongs to the Housing Board, which is lying vacant, is allotted to the petitioner, then, that will serve the purpose of the petitioner to enjoy his plot in a more beneficial and convenient manner. When the petitioner made a representation, the same is now rejected by the respondents.

4. The learned Counsel for the petitioner submits that without even mentioning any reason, by a non-speaking order, the respondents rejected the representation. The extent is kept idle by the Housing Board only. They can be ordered to sell the minor extent to the petitioner so that the plot can be enjoyed more conveniently and more effectively.

5. Per contra, the learned Standing Counsel for the respondents would submit that the adjacent extent forms part of an undeveloped plot that is



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owned by the Housing Board. The Housing Board has to develop the said extent by duly obtaining layout or in whatever manner. Therefore, at present, it is not possible for the Housing Board to sell any part of the same to the petitioner. As far as the extent allotted to the petitioner is concerned, if the sale deed is not executed, the Housing Board shall take expeditious steps and issue a communication to the petitioner so that the petitioner can contact the Housing Board and the process can be completed as expeditiously as possible.

6. Considering the submission that is made by the Housing Board that at present, it is not possible for them to sell an additional extent, since there is no pre-existing right for the petitioner to seek for a mandamus to sell the adjacent also to him, the prayer in the Writ Petition cannot be countenanced. As such, the same stands disposed. There shall be no order as to costs.



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Neutral Citation : no
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To

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