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W.P. No.26001 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.26001 of 2025

and

W.M.P. Nos.29253, 29252 and 47523 of 2025

S.Sulthan Syed Ibrahim

Petitioner(s)

Vs

1.The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex,
E and C Market Road,
Koyambedu, Chennai-600 107.

2.The Chief Revenue Officer,
Tamil Nadu Housing Board,
CMDA Complex,
E and C Market Road,
Koyambedu, Chennai-600107.

3.The Executive Engineer
Tamil Nadu Housing Board,
K.K.Nagar Division,
Chennai-600 040.

4.P.Lingam
S/o.Ponnaiah,
No.22, Pillayar Kovil Street,
Kannadapalaya, West Tambaram,
Chennai-600 045.

Respondent(s)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of the property without following the due process of law.

For Petitioner(s) : Mr.I.Abbar MD Abdullah

For Respondent(s) : Mr.D.Veerasekaran
1 to 3 Standing Counsel

For Respondent 4 : Mr.V.Ramesh
for Mr.R.Ashwanth

ORDER

The present writ petition is filed praying to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of the property without following the due process of law.

2. The learned counsel appearing for the petitioner would submit that the petitioner claimed to be a tenant under the 4th respondent from 2015 for a commercial outlet measuring an extent of 3000 sq. ft. situated at Door No.54/470, Ground Floor, Mudichur Road, Tambaram West, Chennai-600 045, for a monthly rent of Rs.1,20,000/- and the petitioner paid an advance of Rs.10,00,000/- to the 4th respondent. The petitioner further claimed that he started business in the name and style of “Furn Plaza” in the said premises and periodically paid rent without any default.



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3. The learned counsel for the petitioner would further submit that there was a dispute between the petitioner and the 4th respondent with regard to non-payment of rent. During the COVID-19 pandemic period, the 4th respondent initiated eviction proceedings before the Rent Control Board in R.L.T.O.P.No.28 of 2024, on the file of the District Munsif, Tambaram, the same is pending between the petitioner and the 4th respondent. While so, the 4th respondent subsequently purchased a property which was acquired by the Housing Board. The 4th respondent challenged the acquisition proceedings before this Court by way of a writ petition before this Court in W.P.No.30635 of 2015 under Section 2 of Section 24 of Act 30/2013 and the same was dismissed vide order dated 28.10.2015.

4. As against the writ petition, the 4th respondent preferred an appeal before this Court in W.A.No.657 of 2016. The Division Bench of this Court vide its order dated 26.07.2023 dismissed the writ appeal. Challenging the same, the 4th respondent preferred an appeal before the Hon'ble Apex Court in S.L.P.Civil Nos.13430 and 13431 of 2025, the Hon'ble Apex Court disposed of the appeal by directing the 4th respondent to deposit Rs.3,35,41,000/- before the 1st respondent. Upon receipt of the same, the 1st respondent was directed to hand over the possession to the 4th respondent. Pursuant to which the 4th respondent



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paid the entire amount to the 1st respondent, however, even then, the 1st respondent has not de-sealed the premises. Therefore, the present writ petition has been filed.

5. The learned counsel appearing for the petitioner would therefore submit that there may be a direction to the respondents 1 to 3 to handover possession to the 4th respondent and further direct the 4th respondent to maintain the status quo in the sealed premises to enable the petitioner to workout their remedy before the Rent Control Board, where the rent control proceedings is pending.

6. The learned counsel for the 4th respondent would submit that status quo will be maintained in the premises which was sealed by the Tamil Nadu Housing Board, till the disposal of the R.C.L.O.P. pending before the District Munsif Court.

7. Even after payment of entire amount viz., Rs.3,35,41,000/- by the petitioner, the official respondent Housing Board has not handed over possession to the 4th respondent. In view of the above, there shall be a direction to the respondents 1 to 3 to handover the possession to the 4th respondent within a period of four weeks from the date of receipt of a copy of this order. The 4th



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respondent is directed to maintain status quo with regard to the dispute between the petitioner and the 4th respondent till the disposal of R.L.T.O.P. No.28 of 2024, pending before the District Munsif Court, Tambaram.

8. The Writ Petition stands disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions are closed.

13.11.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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