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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 1384 of 2023

Deva Manoharan

Petitioner(s)

Vs

1. The Manager (Sales and Service)
Anna Nagar Division,
Tamilnadu Housing Board,
Tirumangalam, Chennai-600 101.

2. The Managing Director
Tamilnadu Housing Board,
Nandanam, Chennai-600 035.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari and Mandamus, calling for the records in respect of the impugned letter No.A.N.O. II.9/ 20584/ 1990 dated 30.11.2022 issued by the first respondent and direct the respondent to allot the Plot No.2/245 in Manali Phase II.



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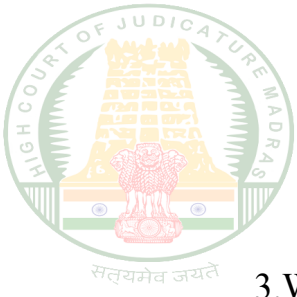
For Petitioner(s): Mr.S.Shunmuga Raja

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

ORDER

This writ petition has been filed challenging the proceedings of the 1st respondent dated 30.11.2022 and for a consequential direction to the respondent to allot Plot No.2/245 in Manali Phase II.

2.It is brought to the notice of this Court that the petitioner was allotted the plot on 20.01.1992. He took possession on the same on 18.03.1992. He had only paid a sum of Rs.13,439/- Thereafter, he did not pay the balance amount and hence, the allotment itself was cancelled on 07.07.1999 and it was further conformed by the XIII Revocation Committee which was held on 20.03.2019. The representations that were sent by the petitioner resulted in the issuance of the impugned letter dated 30.11.2022 by the 1st respondent reiterating the earlier cancellation of allotment which was confirmed by the Revocation Committee.



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3. When this writ petition was pending, this Court passed an order on 19.07.2024 and the same is extracted hereunder:

Without going into the background of the matter, the submission of the respondents are to the effect that the petitioner would be permitted to retain possession of the plot if he pays the balance amount as computed at the present day value in Manali Phase-II under the Economically weaker section-B scheme. Petitioner states that he is ready to do so.

2. Hence, let the petitioner approach R1 on 25.07.2024 at 12.00 noon without awaiting any further notice. He shall be furnished with the balance sale consideration after giving due credit for the amounts paid thus far.

3. List on 05.08.2024 to file a status report.

4. Pursuant to the above order, the petitioner approached the respondents and was willing to pay the balance amount. However, the respondents were not in a position to receive the balance amount and execute the Sale deed, since the



allotment itself has been cancelled on 07.07.1999 which was conformed by the

Revocation Committee on 20.03.2019. A status report has been filed in this

regard by the respondents.

5.The plot in question is 576 sq. ft. and it falls under the economically weaker section category at Manali Phase II. The petitioner is already 70 years and considering the fact that the petitioner is in possession of the plot from the year 1992 onwards and he has not developed the same, as an exceptional case, the petitioner can be asked to pay the balance amount and pursuant to the same, the cancellation of the allotment made on 07.07.1999 and which was conformed by the XIII Revocation Committee on 20.03.2019, can be revoked. A Sale Deed can be executed in favour of the petitioner.

6.In the result, this writ petition is allowed and there shall be a direction to the petitioner to pay the balance amount to the respondents, within a period of two weeks from the date of receipt of copy of this order. On receipt of the same, the respondents shall immediately issue proceedings by revoking the



cancellation of allotment through proceedings dated 07.07.1999, which was conformed by the Revocation Committee on 20.03.2019. Thereafter, the Sale

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Deed shall be executed in favour of the petitioner. This process shall be completed by the respondents, within a period of eight weeks thereafter. It is made clear that this order will not be taken as a precedent in any other case and such directions are issued considering the peculiar facts of the present case. No Costs.

11-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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