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W.P.No.36675 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.36675 of 2025
and W.M.P.No.41009 of 2025

N.Balasubramanin

... Petitioner

Vs

1.The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, Market Road,
Koyambedu,
Chennai-600 017.

2.The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
Erode Housing Unit,
Sampath Nagar,
Erode-638 011.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st Respondent in Letter No.Allotment 3(5)/11007/2023 dated 06.12.2023 and quash the same as illegal, incompetent and without jurisdiction and consequently direct the Respondents to allot Plot No.R-45B situated at Sampath Nagar Scheme, Erode by fixing the price of the plot in accordance with the direction of the division bench of this Court in W.A.Nos.1317 to 1320 of 2000 dated 12.06.2007.



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For Petitioner : Mr.I.Abrar Mohammed Abdullah

For Respondents : Mr.D.Veerasekaran, Standing Counsel

ORDER

The present Writ Petition has been filed challenging the rejection order passed by the 1st respondent, thereby rejecting the claim of the petitioner for allotment of housing plot by the respondent board at Sampath nagar Scheme.

2. Mr.D.Veerasekaran, learned Standing Counsel takes notice on behalf of the respondents.

3. The grievance espoused by the petitioner herein is that, inspite of the earlier orders passed by this Court in a batch of Writ Petitions filed by the similar land losers under the acquisition proceedings of Tamil Nadu Housing Board, the petitioner being a genuine land loser has been denied allotment of alternative plots as promised by the Respondent board while the similar land losers under the very same proceedings have been provided with an alternative plots for lesser market price fixed by the respondent board on priority basis. Aggrieved by which, the petitioner made a detailed representation dated 09.06.2023 before the Tamil Nadu Chief Minister Cell seeking allotment of alternative plots under Sampath Nagar Scheme pursuant to which, the present



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impugned order has come to be passed by the 1st respondent rejecting the claim of the petitioner stating that there is no provision in the Housing Board for allotment of housing plots on the ground of previous land owners. Aggrieved by which, the petitioner has come up with the present Writ Petition.

4. Learned counsel appearing for the petitioner submitted that, despite the earlier orders passed by this Court in a batch of Writ Appeals W.A.Nos.1317 to 1320 of 2000 in favour of the similarly placed persons which has since been confirmed by the Hon'ble Supreme Court in SLP(C).Nos.23922, 23940, 23941 & 23945 of 2007, the petitioner's claim for allotment for alternative plots has been rejected by the respondent board vide the present impugned order which is wholly unsustainable. Therefore, this Court may issue a direction to the respondents to consider the petitioner's representation in line with the earlier orders of this Court.

5. Learned Standing Counsel appearing for the respondents fairly conceded to the aforesaid submission of the learned counsel for the petitioner and submitted that this Court may issue a direction to the petitioner to submit a fresh representation for allotment of alternative plots and the same will be considered and appropriate orders will be passed.



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6. This Court heard the learned counsel appearing on either side and perused the materials available on record.

7. In view of the aforesaid submissions, the impugned order passed by the 1st respondent is hereby set aside and the matter is remanded to the respondents for fresh consideration. The petitioner is directed to submit a representation for allotment of alternative plots within a period of two (2) weeks from the date of receipt of a copy of this order and on receipt of the said representation, the 1st respondent is directed to consider the same in line with the earlier orders passed by this Court in a batch of Writ Appeals in W.A.Nos.1317 to 1320 of 2000 and pass appropriate orders in accordance with law within a period of twelve (12) weeks thereafter by affording an opportunity of hearing to the petitioner.

8. This Writ Petition is allowed in the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

26.09.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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