



W.P.No.47861 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.47861 of 2025

S.Martha

... Petitioner

Vs.

1.The Additional Secretary,
Housing and Urban Development Department,
Secretariat,
St. George Fort, Chennai – 600 001.

2.The Managing Director,
Tamil Nadu Housing Board,
Pocket 6, Board Office cum Commercial Complex,
CIT Nagar 1st Main Road,
Chennai – 600 035.

3.The Executive Engineer cum Administrative Officer,
Tamil Nadu Housing Board,
Thanjavur Housing Unit,
Thanjavur – 613 005.

4.The District Collector,
Nagapattinam District,
Nagapattinam - 611 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider and dispose of the petitioner's representation dated 13.11.2025 seeking one more opportunity to opt for the Sales Scheme introduced for the

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existing occupants and to permit the petitioner to purchase the rented premises namely MIG-I Type House No.M1-30 in Tamil Nadu Housing Board, Maraimalai Nagar, Nagapattinam, on instalment basis under the said Scheme.

For Petitioner	:	Mr.R.Sathiamoorthy
For R1 and R4	:	Mr.Yogesh Kannadasan Special Government Pleader
For R2 and R3	:	Mr.D.Veerasekaran Standing Counsel

ORDER

This petitioner seeks a direction to the respondents 1 to 3 to consider and dispose of the petitioner's representation, dated 13.11.2025, seeking one more opportunity to opt for the Sales Scheme introduced for the existing occupants and to permit the petitioner to purchase the rented premises namely MIG-I Type House No.M1-30 in Tamil Nadu Housing Board, Maraimalai Nagar, Nagapattinam, on instalment basis under the said Scheme.

2.By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.



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3.It is the case of the petitioner that the Housing Board had constructed 165 residential units consisting of MIG-I, HIG-A and HIG-B Type houses under the Nagapattinam Neighbourhood Scheme at Maraimalai Nagar, Nagapattinam Town, in the year 1991. Out of these 165 houses, 86 houses were sold to various individuals and 79 houses remained unsold, largely owing to their small twin-house dimensions. The unsold units comprised of 74 MIG-I Type houses, 3 HIG-A Type houses and 2 HIG-B Type houses. After the formation of new Nagapattinam District in the year 1991, most of the unsold houses were allotted to Government servants belonging to D-Cadre for occupation as tenants, with the monthly rent being deducted from their salaries. The petitioner was also allotted a MIG-I Type House bearing No.M1-30 in the year 2021 on the basis of monthly rent. Accordingly, the petitioner is in continuous occupation and maintenance of the said house.

4.The respondents introduced a sales scheme vide Proceedings in R6/4543/99 for disposal of the remaining unsold units to the existing occupants, fixing the sale price on the basis of the extent of the house and prescribing a 14-year repayment period with interest. At that time, the sale



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price was fixed at Rs.2,65,851/- for MIG-I Type Houses, Rs.6,54,800/- for
HIG-A Type houses and Rs.5,27,400/- for HIG-B Type houses with
corresponding monthly instalments. Although the sales scheme was
implemented in the year 2002, no opportunity was extended to the
occupants like petitioner who were inducted into possession after 2002.
Therefore, they could not avail the benefit of purchasing the allotted house
under the said scheme. However, the petitioner has continued to occupy the
premises lawfully and has been paying the rent regularly without any
default. Now, the petitioner is willing to purchase the property at the rate
that may be fixed by the 2nd respondent. In this regard, she has also given
various representations on 22.09.2022, 28.12.2022, 06.06.2023 and
05.06.2024, 13.11.2025. However, her representations have not been
considered. Hence, the writ petition.

5.Heard the learned counsel for the petitioner, Mr.Yogesh
Kannadasan, learned Special Government Pleader, who takes notice for the
respondents 1 and 4 and Mr.D.Veerasekaran, learned Standing Counsel, who
takes notice for the respondents 2 and 3.



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6.As the petitioner is in continuous possession of the property and the respondents had also taken a policy decision earlier to sell the property to the existing occupants, though the petitioner was not given the opportunity since she was inducted into possession after 2002, the District Collector, Nagapattinam, has forwarded the representation of the petitioner's Association to the Tamil Nadu Housing Board, by communication dated 17.09.2013 for affording one more opportunity for the existing occupants to purchase the house under the sales scheme.

7.In such view of the matter, this Court is of the view that, when the respondents have already taken a policy decision to sell the property to the existing occupants, let the 2nd respondent consider the latest representation of the petitioner dated 13.11.2025, taking note of the fact that now, the petitioner is willing to purchase the property at the price that may be fixed by the 2nd respondent, and pass appropriate orders, particularly fixing the rate at present market value. Such orders shall be passed within a period of two months from the date of receipt of a copy of this order.



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8. With these directions, this writ petition is disposed of. No costs.

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Internet : Yes

Index : Yes

Speaking order : Yes

Neutral Citation : Yes

To

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