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W.P.No.47841 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.47841 of 2025

A.Kumar

... 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.M1-83 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.M1-83 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.M1-83 in the year 2002 on the basis of monthly rent. Accordingly, the petitioner is in continuous occupation and maintenance of the said house.

4.Subsequently, 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



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time, the sale 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. Though the petitioner also received a communication from the 3rd respondent inviting the petitioner to opt for purchase of the property, the petitioner, due to financial constraints caused by Tsunami and Gaja Cyclone, was unable to exercise the option within the stipulated time. However, the petitioner continued to occupy the premises lawfully and has been paying the rent regularly to the respondents. Now, the petitioner is willing to purchase the property at the rate that may be fixed by the 2nd respondent. In this regard, he has also given various representations on 22.09.2022, 28.12.2022, 06.06.2023 and 05.06.2024, 13.11.2025. However, his 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 had not exercised that option within the time frame fixed by the respondents, the reasons assigned for such non-opting at the earlier point of time due to Tsunami and subsequent cyclone have also been taken note of and considered by the District Collector, Nagapattinam, and he has forwarded the representation of the petitioner's Association to the Tamil Nadu Housing Board, by communication dated 17.09.2013.

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 Tsunami and subsequent cyclone struck the entire Nagapattinam District and now, the petitioner is also 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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09.12.2025

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Internet : Yes

Index : Yes

Speaking order : Yes

Neutral Citation : Yes

To

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N. SATHISH KUMAR, J.

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