



W.A(MD)No.2363 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**AND**

**THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.A(MD)No.2363 of 2025

and

C.M.P(MD)No.13299 of 2025

G.Murukesan

... Appellant/Petitioner

Vs.

1.State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Housing and Urban Development Department,  
Fort St. George,  
Chennai-600 009.

2.The Chairman and Managing Director,  
Tamil Nadu Housing Board,  
Nandanam, Chennai-600 035.

...Respondents/Respondents

**PRAYER:** Writ Appeal filed under Clause XV of the Letters Patent Appeal, to set aside the order dated 06.01.2025 passed in W.P(MD)No.20235 of 2016.

|               |                     |
|---------------|---------------------|
| For Appellant | : Mr.R.Ramasamy     |
| For R1        | : Mr.V.Om Prakash   |
|               | Government Advocate |



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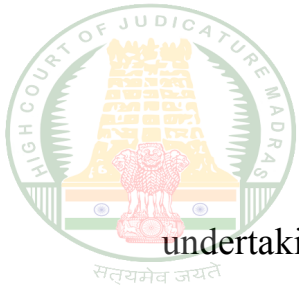
## **JUDGMENT**

(Judgment of the Court was made by ***S.M.SUBRAMANIAM, J.***)

Intra Court appeal on hand has been instituted to assail the writ order dated 06.01.2025 passed in W.P(MD)No.20235 of 2016.

2. The writ petitioner is the appellant before this Court. The writ of mandamus has been instituted to direct the respondents to execute the modified deed in favour of the petitioner for the 772 sq.ft., dropped in the MDU394 Utchappatty Plot in the sale deed 1082/2014 executed on 26.02.2014 at Thirumangalam Sub Registrar Office.

3. The Writ Court elaborately considered the issues and found that the petitioner himself prepared to take 1938 sq.ft., of land instead of 2710 sq.ft., and agreed to forgo the remaining extent of 772 sq.ft., Since the appellant himself agreed to purchase 1938 sq.ft., of land instead of 2710 sq.ft., the learned Single Judge found that the appellant cannot turn around and claim a 772 sq.ft., of land. The specific undertaking given by the appellant had been recorded in the earlier writ proceedings by the learned Single Judge of this Court. Having given the



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undertaking, it is not left open to the appellant to make an additional claim for the remaining land which he had already foregone. This being the clear findings of the writ Court, this Court do not find any reasons to entertain the writ appeal.

4. Accordingly, the writ appeal stands dismissed. No costs.  
Consequently, connected miscellaneous petition is closed.

**(S.M.S., J.) & (G.A.M., J.)**  
**19.08.2025**

NCC : Yes / No

Index : Yes / No

*am*



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- 1.The Secretary to Government,  
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Chennai-600 009.
- 2.The Chairman and Managing Director,  
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Nandanam, Chennai-600 035.



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**S.M.SUBRAMANIAM, J.**

**AND**

**G.ARUL MURUGAN, J.**

*am*

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