



WEB COPY



W.P.No.10535 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10535 of 2026

And

W.M.P.Nos.11411 and 11413 of 2026

S.Malarvizhi

... Petitioner

Vs.

1.The State of Tamilnadu rep. by
The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai – 600 009.

2.The Tamilnadu Housing Board
Rep. by its Chairman,
CMDA Building,
Near Koyambedu Metro Station,
Chennai – 600 107.

3.The Tamilnadu Housing Board
Rep. by The Executive Engineer
And Administrative Officer,
Erode Housing Unit,
Erode – 638 011.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus calling for the records relating



W.P.No.10535 of 2026

to the impugned notice dated 27.01.2026 issued by the third respondent, quash the same and consequently direct the respondents to hold that the Housing Scheme has fractured in respect of the subject matter house site measuring 3270 sq.ft., comprised in SF No.94/3C3A1A, Patta No.3150 (previously SF No.94/3C), Pudupalayam Agraharam Village, Komarapalayam Taluk, Namakkal District.

For Petitioner : Mr.N.Manoharan
For Respondents : Ms.V.Yamunadevi for R1
Special Government Pleader
Mr.D.Veerasekaran for R2, R3

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the notice dated 27.01.2026 issued by the third respondent, quash the same and consequently direct the respondents to hold that the Housing Scheme has fractured in respect of the subject matter house site measuring 3270 sq.ft., comprised in SF No.94/3C3A1A, Patta No.3150 (previously SF No.94/3C), Pudupalayam Agraharam Village, Komarapalayam Taluk, Namakkal District.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the innocent purchaser of the subject property



W.P.No.10535 of 2026

and only after issuance of the impugned notice, the petitioner came to know that the Tamil Nadu Housing Board is the owner of the subject property and the same was suppressed by the vendor, thereby, without any notice, the impugned eviction notice was issued by the third respondent.

3.The learned counsel appearing for the respondents 2 and 3 submitted that already a Two Members Committee was appointed for releasing of the lands in terms of the Scheme available to the Tamil Nadu Housing Board and further submitted that if at all the petitioner have any grievance, the petitioner may be granted liberty to approach the Two Members Committee.

4.At this juncture, the learned counsel appearing for the petitioner submitted that liberty may be granted to the petitioner to make representation to the Two Members Committee appointed by the Tamil Nadu Housing Board for releasing of the subject property in terms of the Scheme available to the Tamil Nadu Housing Board in favour of the petitioner and prayed to observe that till the Two Members Committee take a decision on the representation to be made by the petitioner, the impugned notice shall be kept in abeyance.



W.P.No.10535 of 2026

WEB COPY

5.Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court without expressing any opinion on the merits of the case, grants liberty to the petitioner to make representation to the Two Members Committee appointed by the Tamil Nadu Housing Board for releasing of the subject property in terms of the Scheme available to the Tamil Nadu Housing Board in favour of the petitioner. The impugned notice shall be kept in abeyance till the Two Members Committee take a decision on the representation to be made by the petitioner.

6.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

13.03.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



W.P.No.10535 of 2026

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M.DHANDAPANI,J.
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